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HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

32° VICTORIÆ, 1868-9.

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TO

THE SIXTEENTH DAY OF JUNE 1869.

Third Volume of the Session.

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[Then the several Articles are set forth.]

Resolution amended, and *agreed to.*

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And, on June 8, Committee *nominated*:—List of the Committee .. 809

O'Sullivan's Disability Bill (Expenses of Counsel, &c).—Motion for Returns—*Moved,*

"That there be laid before this House Returns, stating the total amount of the expenses incurred by Her Majesty's Government for the payment of Counsel, and for the attendance of Witnesses and other persons on the occasion of the different stages of the Bill for disabling Mr. Daniel O'Sullivan from holding the office of Mayor of Cork, or any other office or dignity in Ireland:

And, stating from what particular source such expenses are to be defrayed,"—(*Sir Percy Burrell*) 809

Motion, by leave, *withdrawn.*

Whitsuntide Recess—*Moved,* "That the House, at its rising, do adjourn until Thursday 27th May,"—(*Mr. Gladstone*:)—Motion *agreed to.*

Poor Law Union Loans Bill—*Ordered* (*Mr. Candlish, Mr. Hibbert, Mr. Dillwyn*); *presented,* and read the first time [Bill 128] 810

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Salmon Fisheries Law Amendment Bill—*Ordered* (*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 130] 810

Petroleum Bill—*Ordered* (*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*); *presented*, and read the first time [Bill 131] 810

Trade Marks Registration Bill — *Considered* in Committee :—Resolution *agreed to*, and *reported* :—Bill *ordered* (*Mr. Shaw-Lefevre, Mr. John Bright*); *presented*, and read the first time [Bill 126] 810

Witnesses (House of Commons) Bill—*Ordered* (*Sir John Esmonde, Mr. Bonham-Carter*); *presented*, and read the first time [Bill 129] 810

Titles of Religious Congregations Act Extension Bill — *Ordered* (*Mr. Headlam, Mr. Pease*); *presented*, and read the first time [Bill 127] 810

COMMONS, THURSDAY, MAY 27.

COSTS OF PROSECUTIONS—Question, Mr. Hunt; Answer, The Chancellor of the Exchequer 811

Customs and Inland Revenue Duties Bill [Bill 95]—

Order for Committee read 812

After debate, Bill *considered* in Committee.

After some time spent therein, Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed* [Bill 132.]

Civil Offices Pensions Bill [Bill 42]—

Order for Committee read :—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Gladstone*) 858

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the further consideration of this Bill ought to be deferred until an inquiry has been made into the duties attached to some Political Offices which are now regarded as comparatively sinecure, and which offices for the first time will be entitled to Pensions under this Bill,"—(*Mr. Fawcett*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question :"—After short debate, Amendment, by leave, *withdrawn*.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to* :—Bill *considered* in Committee 868

After short time spent therein, Bill *reported ;* as amended, to be considered upon *Thursday* next, and to be *printed* [Bill 133.]

COMMONS, FRIDAY, MAY 28.

CANADA—INTERCOLONIAL RAILWAY—Question, Mr. Sinclair Aytoun ; Answer, Mr. Monsell 877

NAVY—COAL FOR THE NAVY—Question, Mr. Sinclair Aytoun ; Answer, Mr. Baxter 879

COUNTY FINANCIAL ARRANGEMENTS — Question, Mr. Read ; Answer, Mr. Knatchbull-Hugessen 879

SUPPLY—Order for Committee read ; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair :"—

CASE OF "LAVELLE v. PROUDFOOT"—Question, Observations, Mr. Charley, Mr. G. H. Moore ; Reply, Mr. Gladstone 881

PATENTS FOR INVENTIONS—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the time has arrived when the interests of trade and commerce, and the progress of the arts and sciences in this Country, would be promoted by the abolition of Patents for Inventions," — (*Mr. Macfie*,)—instead thereof 888

Question proposed, "That the words proposed to be left out stand part of the Question :"—After debate, Amendment, by leave, *withdrawn*.

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SUPPLY—Committee—*continued.*

POST OFFICE—LANDING MAILS AT A WESTERN PORT—Observations, Mr. R. N. Fowler:—Short debate thereon 924

RAILWAYS—THE ABERGELE ACCIDENT—Questions, Observations, Sir Henry Selwin-Ibbetson; Answer, Mr. Dillwyn 936

AGRICULTURAL STATISTICS—Question, Mr. Read; Answer, Mr. Bright .. 938

Motion, by leave, *withdrawn*:—Committee *deferred* till *Monday* next.

Metropolitan Poor Act (1867) Amendment Bill [Bill 53]—

Moved, "That the Bill be now read a second time,"—(*Mr. Goschen*) .. 946

After debate, Debate *adjourned* till *Friday* next.

Oxford University Statutes Bill—*Ordered* (*Mr. Gathorne Hardy, Mr. Mowbray*); *presented*, and read the first time [Bill 136] 963

Companies Clauses Act (1863) Amendment Bill—*Ordered* (*Mr. Goldney, Mr. Eykyn*); *presented*, and read the first time [Bill 138] 963

Pier and Harbour Orders Confirmation (No. 2) Bill—*Considered* in Committee:—Resolution *agreed to*, and *reported*:—Bill *ordered* (*Mr. Lefevre, Mr. John Bright*); *presented*, and read the first time [Bill 137] 963

LORDS, MONDAY, MAY 31.

Newspapers, &c. Bill (No. 80)—

Moved, "That the Bill be now read 2ª,"—(*The Marquess of Lansdowne*) .. 964

After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 17*th of June* next.

COMMONS, MONDAY, MAY 31.

COMMERCIAL TREATY WITH AUSTRIA—Question, Mr. E. Egerton; Answer, Mr. Otway 970

THE BRENTFORD MAGISTRATES—SENTENCE ON CHILDREN—Question, Mr. Bowring; Answer, Mr. Bruce 970

Irish Church Bill [Bill 123]—

Moved, "That the Bill be now read the third time,"—(*Mr. Gladstone*) .. 971

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Holt*:)—Question proposed, "That the word 'now,' stand part of the Question."

After long debate, Question put:—The House *divided*; Ayes 361, Noes 247; Majority 114.

Division List, Ayes and Noes 1078

Main Question put, and *agreed to*:—Bill read the third time, and *passed*.

Joint Stock Companies Arrangement Bill—*Ordered* (*Mr. Henry B. Sheridan, Mr. Serjeant Simon*); *presented*, and read the first time [Bill 140] 1083

LORDS, TUESDAY, JUNE 1.

Stannaries Bill (No. 98)—

Moved, "That the Bill be now read 2ª,"—(*Lord Portman*) .. 1083

Motion *agreed to*:—Bill read 2ª, and *committed* to a Committee of the Whole House on Tuesday next.

OFFICE OF UNDER SECRETARY TO THE LORD LIEUTENANT—Question, Observations, The Earl of Longford; Reply, Earl Granville:—Short debate thereon 1085

REMOVAL OF MUNICIPAL MAGISTRATES—Question, Earl Grey; Answer, The Lord Chancellor:—Short debate thereon 1085

COMMONS, TUESDAY, JUNE 1.

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CIVIL OFFICES PENSIONS BILL—Question, Mr. Fawcett; Answer, Mr. Gladstone 1097

TAXES ON SERVANTS—Question, Viscount Galway; Answer, The Chancellor of the Exchequer 1097

BRITISH COLUMBIA—MOTION FOR PAPERS—*Moved*,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House any Papers on the Union of British Columbia with the Dominion of Canada,"—(*Sir Harry Verney*) .. 1098

After debate, Motion put, and *agreed to*.

MAIL CONTRACTS—RESOLUTIONS—*Moved*,

"That Contracts, made subject to the judgment of the House, should be submitted to the House at as early a period in the Session as possible; should lie upon the Table for thirty days on which the House sits; and, upon reference to a Select Committee, should be subject to the decision of the House on the Report of the Committee,"—(*Mr. Seely*) 1128

After long debate, Motion, by leave, *withdrawn*.

Moved, "That Contracts for the conveyance of Mails to the United States should not in future be made for longer than three years, and that the payments should be regulated by the number or weight of letters, newspapers, &c. conveyed,"—(*Mr. Seely*) 1157

After short debate, Motion, by leave, *withdrawn*.

Moved, "That, proposals having been made for a regular conveyance of Mails to the United States at the freight of a penny per ounce of letters conveyed, negotiations should be entered into with the United States Post Office, for the establishment of a penny postage, which shall include the inland rates in the two countries, as well as the sea conveyance," —(*Mr. Seely*) 1157

After short debate, Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is expedient that Her Majesty's Government should take into consideration, and should endeavour to learn by communication with the Government of the United States, whether it is practicable to establish a greatly reduced rate of Postage between the two Countries,"—(*Mr. Ayrton*) 1159

After further short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *negatived*:—Words *added*:—Main Question, as amended, put, and *agreed to*.

IRELAND—PRESS PROSECUTIONS—CASE OF MR. O'SULLIVAN—MOTION FOR A SELECT COMMITTEE—*Moved*,

That a Select Committee be appointed "to inquire into the treatment of political prisoners, particularly of those who may be untried; and of those who, under exceptional circumstances, may be detained in custody, without any special charge having been preferred against them,"—(*Mr. George Moore*) 1160

After short debate, Question put:—The House *divided*; Ayes 20, Noes 84; Majority 64.

LORDS, THURSDAY, JUNE 3.

Life Peerages Bill (No. 49)—

Moved, "That the House do now resolve itself into Committee,"—(*The Earl Russell*) 1172

After short debate, Motion *agreed to*; House in Committee accordingly.

Amendments made; the Report thereof to be received on *Monday* next; and Bill to be *printed*, as amended. (No. 113.)

COMMONS, THURSDAY, JUNE 3.

THE VICEROY OF EGYPT—Question, Mr. Buxton; Answer, Mr. Otway .. 1205

IRELAND—UNION OF FERCAL—Question, Mr. Gathorne Hardy; Answer, Mr. Chichester Fortescue 1205

LIGHTHOUSE ACCOUNTS—Question, Viscount Bury; Answer, Mr. Bright .. 1206

IRELAND—AFFRAY AT BALLYHEIGUE—Question, Mr. Herbert; Answer, Mr. Chichester Fortescue 1207

CLERKS TO LOCAL COMMISSIONERS OF TAXES—Question, Mr. Hunt; Answer, The Chancellor of the Exchequer 1207

INDIA — CIVIL SERVICE — Question, Mr. Eastwick; Answer, Mr. G. Duff 1208

Sheriffs (York County) Bill [Bill 102]—

Question, Mr. H. F. Beaumont; Answer, Mr. Knatchbull-Hugessen .. 1208

Moved, "That the Order for Second Reading be read, and discharged,"—(*Mr. Knatchbull-Hugessen*) .. ..

Motion *agreed to*:—Order *discharged*:—Bill *withdrawn.*

ARMY—MILITARY LABOUR—Question, Mr. Hanbury-Tracy; Answer, Captain Vivian 1209

METROPOLIS — THE NEW COURTS OF JUSTICE — Question, Mr. Bentinck; Answer, Mr. Layard 1209

Bankruptcy (*re-committed*) **Bill** [Bill 97]—

Bill *considered* in Committee 1211

After short time spent therein, Committee report Progress; to sit again upon *Tuesday* next, at Two of the clock.

Prisons (Scotland) Administration Act (1860) Amendment Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Bruce, Mr. Solicitor General for Scotland*); *presented,* and read the first time [Bill 143] 1225

Judicial Statistics (Scotland) Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Bruce, Mr. Solicitor General for Scotland*); *presented,* and read the first time [Bill 142] 1225

Titles to Land Consolidation (Scotland) Act (1868) Amendment Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Bruce, Mr. Solicitor General for Scotland*); *presented,* and read the first time [Bill 144] 1226

Court of Session Act (1868) Amendment Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Bruce, Mr. Solicitor General for Scotland*); *presented,* and read the first time [Bill 145] 1226

Sea Fisheries Act (1868) Supplemental Bill—*Ordered* (*Mr. Shaw Lefevre, Mr. John Bright*); *presented,* and read the first time [Bill 146] 1226

Public Parks (Ireland) Bill—*Ordered* (*Mr. M'Clure, Mr. William Johnston, Mr. Pim, Mr. Maguire*); *presented,* and read the first time [Bill 147] 1226

Inclosure of Lands (No. 2) Bill—*Ordered* (*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*); *presented,* and read the first time [Bill 148] 1226

LORDS, FRIDAY, JUNE 4.

UNITED STATES—THE "ALABAMA" CLAIMS—Observations, Viscount Stratford de Redcliffe; Reply, The Earl of Clarendon 1227

Government of India Act Amendment Bill (No. 104)—

Moved, "That the Bill be now read 3ª,"—(*The Duke of Argyll*) .. 1236

After short debate, Motion *agreed to;* Bill read 3ª; Amendments made; Bill *passed,* and sent to the Commons.

COMMONS, FRIDAY, JUNE 4.

NAVY—RESERVE CHANNEL SQUADRON—Question, Mr. Gourley; Answer, Mr. Childers 1236

INDIA — BANK OF BENGAL — Question, Mr. G. Gregory; Answer, Mr. Grant Duff 1237

CLERKS TO MAGISTRATES—Question, Mr. Russell Gurney; Answer, Mr. Bruce 1238

Income Tax—Question, Mr. Pollard-Urquhart; Answer, Mr. Stansfeld .. 1238

Ireland—The Fenian Convict O'Donovan Rossa—Question, Sir John Gray; Answer, Mr. Bruce 1238

Railway Guards and Passengers Communication—Question, Mr. Hinde Palmer; Answer, Mr. Bright 1243

Portugal—Claims on the Government—Question, Mr. Dalglish; Answer, Mr. Otway 1243

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Revision of the Statute Law—Resolution—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Royal Commissions (1833 and 1845), and other measures for the revision of the Statute Law, having occasioned an expenditure of £80,619 5*s.* 1*d.*, and the results being unsatisfactory, it is, in the opinion of this House, expedient to discontinue the present course of proceeding, and the expenditure consequent thereon,"—(*Mr. Hadfield,*)—instead thereof 1244

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 217, Noes 64; Majority 153.

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Opening of Museums, &c., on Sundays—Observations, Mr. W. H. Gregory 1254

After debate, [House counted out.]

LORDS, MONDAY, JUNE 7.

Irish Church Bill—Petition—Observations, The Earl of Devon .. 1279

Bishops of Protestant Churches—Ecclesiastical Titles Act—Question, Lord Colchester; Answer, Earl Granville 1280

Parochial Schools (Scotland) Bill (No. 96)—

Amendments *reported* (according to Order) 1281

After debate, Amendments made; Bill to be read 3ª on *Friday* next; and to be *printed,* as amended. (No. 119.)

Reports of the Judges on Election Inquiries — Joint Addresses — Observations, The Lord Chancellor 1294

COMMONS, MONDAY, JUNE 7.

Post Office—Services in Wales—Question, Mr. Walsh; Answer, The Marquess of Hartington 1295

Army—Fines for Drunkenness — Question, Colonel North; Answer, Mr. Cardwell 1295

Riot at Mold—Question, Mr. Osborne Morgan; Answer, Mr. Bruce .. 1296

Navy—Dockyard Emigrants to Canada—Question, Mr. Alderman Salomons; Answer, Mr. Childers 1297

Army—Volunteer Capitation Grant—Question, Mr. Simonds; Answer, Mr. Cardwell 1298

Telegraphs and Railway Companies—Question, Mr. Hunt; Answer, The Chancellor of the Exchequer 1299

Clerks to Justices, &c.—Fees and Salaries—Explanation, Mr. Bruce 1299

Assessed Rates Bill [Bill 21]—

Moved, "That the Bill be now read a second time,"—(*Mr. Goschen*) .. 1299

After long debate, Motion *agreed to:*—Bill read a second time, and *committed* for *To-morrow,* at Two of the clock.

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Representation of the People Act (1867) Amendment Bill [Bill 43]—

Moved, "That the Bill be now read a second time,"—(*Mr. Sheridan*) .. 1334

After short debate, Motion, by leave, *withdrawn*:—Bill *withdrawn*.

Diplomatic Salaries, &c. Bill [Bill 118]—

Bill *considered* in Committee 1336

After short time spent therein, Bill *reported*; as amended, to be considered upon *Thursday*.

Metropolitan Poor Act (1867) Amendment Bill [Bill 53]—

Order read, for resuming Adjourned Debate on Question [28th May], "That the Bill be now read a second time:"—Question again proposed:—Debate *resumed* 1340

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the present condition of the Ratepayers of the Metropolis, and of the burthens laid upon them for the relief of the sick and infirm, it is not expedient to adopt any further measures of legislation until full inquiry shall have been made into the existing extent of hospital accommodation, and how far the same may be made adequate to meet the want of the sick poor not relieved in their own dwellings,"—(*Mr. W. M. Torrens,*) —instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

After debate, Question put:—The House *divided*; Ayes 118, Noes 15; Majority 103:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Thursday*.

Drainage and Improvement of Lands (Ireland) Supplemental Bill—*Ordered* (*Mr. Ayrton, Mr. Glyn*) 1369

LORDS, TUESDAY, JUNE 8.

Life Peerages Bill (No. 113)—

Order of the Day for receiving the Report of the Amendments, read .. 1370

Moved, "That the said Report be now received,"—(*The Earl Russell.*)

After debate, an Amendment *moved* to leave out ("now,") and insert ("this day three months,")—(*The Earl of Malmesbury.*)

After further short debate, Amendment (by Leave of the House) *withdrawn*; Then the original Motion was *agreed to*; Report received accordingly; Amendments made; Bill to be read 3ª on *Monday* the 21*st instant*.

BRIDGWATER ELECTION—

Commons Address amended and *agreed to* 1391

REPORTS OF JUDGES ON ELECTION INQUIRIES—JOINT ADDRESSES—Observations, The Lord Chancellor 1391

DUBLIN CITY ELECTION—JOINT ADDRESS TO HER MAJESTY—

In the Commons Address to Her Majesty, *Moved* that the blank be filled up with ("Lords Spiritual and Temporal, and,")—(*The Lord Chancellor*) 1394

Amendment *moved* to leave out from ("the") to the end of the Motion and insert ("said Address be taken into consideration this day six months,")—(*The Lord Cairns.*)

After short debate, Amendment *agreed to*, and Address to be taken into consideration *this day six months*.

Moved that a message be sent to the House of Commons to inform them that this House, having considered the report of the judge appointed to try a petition complaining of an undue election and return for the city of Dublin, do not think it expedient to address Her Majesty praying Her Majesty to cause inquiry to be made pursuant to the provisions of the Act 31st and 32d Vict. chap. 125, *agreed to*.

COMMONS, TUESDAY, JUNE 8.

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River Thames at Barking—Question, Colonel French ; Answer, Mr. Bruce 1402

Bankruptcy (*re-committed*) **Bill** [Bill 97]—

Bill *considered* in Committee. [*Progress 3rd June.*] 1402

After some time spent therein, Committee report Progress ; to sit again upon *Friday*, at Two of the clock.

Abyssinian War—Motion for a Select Committee—

Moved, That a Select Committee be appointed, "to inquire into the causes of the great excess of cost in prosecuting the War with Abyssinia over the estimate submitted to Parliament,"—(*Mr. Candlish.*)

After debate, Motion *agreed to* :—And, on June 21, Committee *nominated :* —List of the Committee 1439

Endowed Schools and Hospitals (Scotland)—Motion for a Royal Commission—*Moved,*

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to issue a Royal Commission to inquire into the nature and amount of all Endowments in Scotland, the funds of which are devoted to the maintenance or education of young persons ; also to inquire into the administration and management of any Hospitals or Schools supported by such Endowments, and into the system and course of study respectively pursued therein, and to report whether any and what changes in the administration and use of such Endowments are expedient, by which their usefulness and efficiency may be increased,"—(*Sir Edward Colebrooke*) 1439

After short debate, Debate *adjourned* till *Thursday.*

Convention of Paris—Motion for Papers—*Moved,*

"That there be laid before this House, Statements of 'Rentes' deposited with the British Government by the French Government, in pursuance of the Treaties of 1814 and 1815, and under the Convention of the 20th day of November 1815 [No. 7] and the 25th day of April 1818, in satisfaction of the claims of British subjects, and the dates at which such 'Rentes' were deposited :

Of the sums paid out of such moneys to the persons whose claims were admitted :

Copy of a Minute of the Board of Treasury, dated the 17th day of February 1826, ordering payment of £23,707 10*s.* out of such moneys to Monsieur Laffon de Ladebat :

And, Statement in detail of the manner in which the difference between the aggregate sum (principal and interest) received on account of the claims of British subjects, under the above-named Conventions, and the payment in satisfaction of such claims has been disposed of, and of any balance still remaining unappropriated,"—(*Mr. Henry B. Sheridan*) 1445

After short debate, Question put :—The House *divided ;* Ayes 80, Noes 109 ; Majority 29.

Marriage with a Deceased Wife's Sister Bill [Bill 23]—

Order for Committee read 1448

Moved, "That it be an Instruction to the Committee that they have power to make provision for a woman to marry her deceased husband's brother,"—(*Mr. Collins.*)

After short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Sclater-Booth :*)—The House *divided ;* Ayes 63, Noes 113 ; Majority 50.

Question again proposed :—*Moved,* "That this House do now adjourn,"—(*Mr. Cross :*)—The House *divided ;* Ayes 63, Noes 98 ; Majority 35.

Question again proposed :—*Moved,* "That the Debate be now adjourned," (*Mr. R. Fowler :*)—Motion *agreed to* :—Debate *adjourned* till *To-morrow.*

Public Offices Concentration Bill—*Ordered* (*Mr. Layard, Mr. Chancellor of the Exchequer*) ; *presented,* and read the first time [Bill 153] 1451

Ways and Means—Resolutions *reported,* and *agreed to :*—Bill *ordered* (*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Ayrton*) ; *presented,* and read the first time [Bill 152] 1451

COMMONS, WEDNESDAY, JUNE 9.

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Sale of Liquors on Sunday (Ireland) Bill [Bill 29]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. O'Reilly*) 1451

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "until the present system of licensing in Ireland be remodelled and placed on a new basis, it is, in the opinion of this House, inexpedient to proceed further with the consideration of this Bill,"—(*Mr. Murphy,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment and Motion, by leave, *withdrawn*:—Bill *withdrawn.*

Sea Fisheries (Ireland) Bill [Bill 51]—

Moved, "That the Bill be now read a second time,"—(*Mr. Blake*) .. 1457

After debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Sunday Trading Bill [Bill 5]—

Bill *considered* in Committee 1490

After short time spent therein, Committee report Progress; to sit again *To-morrow.*

Sea Fisheries Act (1868) Extension Bill—*Ordered* (*Mr. Andrew Johnston, Colonel Brise, Mr. Donald Dalrymple*); *presented,* and read the first time [Bill 156] .. 1492

LORDS, THURSDAY, JUNE 10.

The House met at half-past Ten o'clock; and their Lordships having gone through the Business on the Paper, without debate—House adjourned.

COMMONS, THURSDAY, JUNE 10.

OPENING OF THE BRITISH MUSEUM AND NATIONAL GALLERY ON SUNDAYS—PETITIONS—Explanation, Mr. W. H. Gregory 1493

PRESTON RAILWAY STATION—Question, Mr. Hermon; Answer, Mr. Bright 1494

COURT OF PROBATE (REGISTRAR CLERKS)—Question, Mr. Monk; Answer, Mr. Ayrton 1495

ARMY—COURTS MARTIAL—Question, Mr. Stacpoole; Answer, Mr. Cardwell 1495

INDIA—MAHARAJAH OF MYSORE—Question, Sir Stafford Northcote; Answer, Mr. Grant Duff 1495

THE NEW COURTS OF JUSTICE—Question, Mr. Bentinck; Answer, The Chancellor of the Exchequer 1496

CANADA AND THE HUDSON'S BAY COMPANY—Question, Sir Stafford Northcote; Answer, Mr. Monsell 1497

UNDUE INFLUENCE AND BRIBERY—Question, Mr. J. S. Hardy; Answer, The Solicitor General 1497

UNITED STATES—MURDER OF CAPTAIN SPEER—Question, Mr. Cubitt; Answer, Mr. Otway 1498

CONTAGIOUS DISEASES (ANIMALS) BILL—Question, Lord Robert Montagu; Answer, Mr. W. E. Forster 1498

SPAIN—CASE OF THE "TORNADO"—Question, Mr. Bentinck; Answer, Mr. Otway 1499

[*June* 10.] Page

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

ARMY OF RESERVE—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the establishment of a sufficient and reliable Army Reserve is a matter of urgent need,"—(*Lord Elcho,*)—instead thereof .. 1499

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Amendment, by leave, *withdrawn.*

ARMY—FORTIFICATIONS — GUN SHIELDS — MONCRIEFF GUN-CARRIAGES—Observations, Captain F. E. B. Beaumont; Reply, Mr. Cardwell:—Short debate thereon 1570

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—ARMY ESTIMATES—*considered* in Committee 1573

(1.) £952,700, Militia and Inspection of Reserve Forces.—After short debate, Vote *agreed to* 1573

(2.) *Moved,* "That a sum, not exceeding £89,300, be granted to Her Majesty, to defray the Charge of the Yeomanry Cavalry, which will come in course of payment from the 1st day of April 1869 to the 31st day of March 1870, inclusive."—After short debate, the Committee *divided;* Ayes 117, Noes 27; Majority 90.—Vote *agreed to* .. 1575

(3.) £414,000, Volunteer Corps.

(4.) £81,200, Army Reserve Force.

(5.) £64,479, Greenwich Hospital and Schools.—After short debate, Vote *agreed to* .. 1577

(6.) £14,093, Advances and Expenses of Carey Street Site for New Law Courts.—After short debate, Vote *agreed to* 1577

Resolutions to be reported *To-morrow,* at Two of the clock; Committee to sit again *To-morrow.*

Special and Common Juries Bill—*Ordered* (*Viscount Enfield, Mr. Headlam, Mr. Denman*) 1578

Fines and Fees Collection Bill—*Ordered* (*Mr. Hunt, Mr. Sclater-Booth, Mr. Staveley Hill*); *presented,* and read the first time [Bill 159] 1578

High Constables' Office Abolition, &c. Bill—*Ordered* (*Mr. Hunt, Mr. Sclater-Booth, Mr. Staveley Hill*); *presented,* and read the first time [Bill 160] 1578

LORDS, FRIDAY, JUNE 11.

THE IRISH CHURCH BILL—Question, Observations, Lord Bateman; Reply, Earl Granville:—Short debate thereon 1578

THE IRISH CHURCH BILL—PETITION—Observations, The Duke of Abercorn:—Petition *ordered* to lie on the Table 1581

New Parishes and Church Building Acts Amendment Bill

Moved, "That the Bill be now read 2ª,"—(*The Archbishop of York*) .. 1582

After short debate, Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* the 21*st Instant.*

Beerhouses, &c. Bill (No. 122)—

Moved, "That the Bill be now read 2ª,"—(*The Marquess of Salisbury*) .. 1583

After short debate, Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* the 22*nd Instant.*

Customs and Inland Revenue Duties Bill (No. 111)—

Moved, "That the Bill be now read 2ª,"—(*The Marquess of Lansdowne*) .. 1585

After short debate, Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

Election Commissioners' (Expenses) Bill (No. 121)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Kimberley*) .. 1588

Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

COMMONS, FRIDAY, JUNE 11.

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DIPLOMATIC PENSIONS—Question, Mr. Staveley Hill; Answer, Mr. Otway 1589

ARMY—TROOPS AT THE MAURITIUS—Question, Colonel Sykes; Answer, Captain Vivian 1590

ARMY—AMMUNITION FOR THE VOLUNTEERS—Question, Lord Garlies; Answer, Captain Vivian 1591

INDIA—PUNJAUB TENANCY ACT—Question, Mr. C. Denison; Answer, Mr. Grant Duff 1591

Bankruptcy (*re-committed*) **Bill** [Bill 97]—

Bill *considered* in Committee. [*Progress 8th June*] 1592

After some time spent therein, Committee report Progress; to sit again upon *Tuesday* next, at Two of the clock.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

SALISBURY MAGISTRATES—Observations, Mr. P. A. Taylor; Reply, Mr. Bruce:—Short debate thereon 1608

NAVY—ADMIRALTY CLERKS—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the members of the Civil Service are entitled to a scale of pay in accordance with the terms of any Order in Council which has not been revoked or qualified by a succeeding Order of equal authority,"—(*Captain Grosvenor*,)—instead thereof 1621

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 107, Noes 64; Majority 43.

Question again proposed, "That Mr. Speaker do now leave the Chair:"—

IRELAND—TRALEE GAOL—Question, Mr. O'Reilly; Answers, Mr. H. A. Herbert, Mr. Chichester Fortescue 1629

BOROUGH OF RYDE—Observations, Mr. W. W. Beach; Reply, Mr. Bruce:—Short debate thereon 1631

THE JUDICATURE COMMISSION—Question, Mr. Norwood; Answer, Mr. Bruce 1633

SCOTLAND—SHERIFF COURTS—Question, Mr. Miller; Answer, The Lord Advocate:—Short debate thereon 1634

SOUTH KENSINGTON MUSEUM—NOTICE OF MOTION FOR A PAPER—

Motion for "an Address for Copy of the Report of the Committee appointed by the Science and Art Department to inquire into the alleged deterioration of the Pictures belonging to the National Gallery deposited at the South Kensington Museum"—[*Motion not made*] 1635

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn:*—Committee *deferred* till *Monday* next.

Special Bails Bill—*Ordered* (*Mr. Hadfield, Mr. Denman*); *presented*, and read the first time [Bill 162] 1636

LORDS, MONDAY, JUNE 14.

Irish Church Bill (No. 109)—

Order of the Day for the Second Reading read 1637

Moved, That the last three paragraphs of Her Majesty's most gracious Speech be read (*Earl Granville*)—*agreed to;* and the said paragraphs accordingly read by the clerk.

Moved, "That the Bill be now read 2^a,"—(*The Earl Granville.*)

Amendment *moved* to leave out ("now") and insert ("this day three months,")—(*The Earl of Harrowby:*)—After long debate, Debate *adjourned.*

COMMONS, MONDAY, JUNE 14.

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PORT OF EXETER— Question, Sir Stafford Northcote; Answer, Mr. Shaw Lefevre 1741

SPAIN—IMPRISONMENT OF A BRITISH SUBJECT AT BARCELONA—Question, Sir Harcourt Johnstone; Answer, Mr. Otway 1741

METROPOLIS—STATUES IN PALACE YARD—Question, Mr. Neville-Grenville; Answer, Mr. Layard 1742

METROPOLIS—CREMORNE GARDENS—Question, Mr. J. G. Talbot; Answer, Mr. Bruce 1743

Endowed Schools (*re-committed*) **Bill** [Bill 115]—

Bill *considered* in Committee 1744

After long time spent therein, Bill *reported;* as amended, to be considered upon *Thursday*, and to be *printed.* [Bill 163.]

GAME LAWS (SCOTLAND)—NOMINATION OF COMMITTEE—

Order read, for resuming Adjourned Debate on Question [11th May], "That the Select Committee on Game Laws (Scotland) do consist of Eighteen Members,"—(*Mr. Loch :*)—Amendment proposed, to leave out from the words "That the," to the end of the Question, in order to add the words "Order for the appointment of the said Committee be discharged,"—(*Sir James Elphinstone,*)—instead thereof :—Question proposed, "That the words proposed to be left out stand part of the Question" 1783

After short debate, Order *discharged.*

PARLIAMENT—DUBLIN CITY WRIT—MOTION FOR NEW WRIT—

Moved, "That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Ireland, to make out a new Writ for the electing of a Citizen to serve in this present Parliament for the City of Dublin, in the room of Sir Arthur Guinness, baronet, whose Election has been determined to be void,"—(*Mr. Noel*) 1784

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "leave be given to bring in a Bill for disfranchising the Freemen of the City of Dublin,"—(*Sir George Grey,*)—instead thereof.

After short debate, Question put, "That the words proposed to be left out stand part of the Question :"—The House *divided ;* Ayes 169, Noes 215; Majority 46 :—Question proposed, "That those words be there added."

Moved, "That this House do now adjourn,"—(*Colonel Knox*) .. 1792

After short debate, the House *divided ;* Ayes 76, Noes 178; Majority 102.

Question again proposed, "That those words be there added :"—*Moved,* "That the Debate be now adjourned,"—(*Mr. Greene*) .. 1793

After further short debate, Motion *agreed to :*—Debate *adjourned* till *Thursday.*

LORDS, TUESDAY, JUNE 15.

MR. BRIGHT'S LETTER—Notice, Lord Cairns 1794

Irish Church Bill (No. 109)—

The Order of the Day for resuming the Debate on the Amendment to the Motion for the Second Reading—which Amendment was to leave out ("now") and insert ("this day three months")—(*The Earl of Harrowby*)—read :—Debate *resumed* accordingly 1794

After long debate, further Debate adjourned to *Thursday* next.

COMMONS, TUESDAY, JUNE 15.

LOSS OF THE "MARQUESS OF ABERCORN"—Question, Sir John Hay; Answer, Mr. Shaw Lefevre 1897

Bankruptcy (*re-committed*) **Bill** [Bill 97]—

Bill *considered* in Committee [*Progress* 11*th June*] 1897

After some time spent therein, Committee report Progress; to sit again upon *Friday*, at Two of the clock.

Coal Fields—Motion for an Address—*Moved*,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to take such further steps as She may be advised, in order to procure from the Royal Commission on the Exhaustion of the Coal Fields (appointed in July 1866) a Report on the subjects committed to their care, at as early a date as the important and difficult character of the investigation will permit,"—(*Mr. Pease*) 1910

After short debate, Motion, by leave, *withdrawn*.

[House counted out.]

COMMONS, WEDNESDAY, JUNE 16.

Opening of the British Museum and National Gallery on Sundays—The Lord's Day Society and the Petition Forgeries—Explanation, Mr. T. Chambers 1916

Seeds Adulteration Bill [Bill 49]—

Moved, "That the Bill be now read a second time,"—(*Mr. Welby*) .. 1916

After debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Wednesday* next.

Municipal Corporations (Metropolis) Bill [Bill 39]—

Moved, "That the Bill be now read a second time,"—(*Mr. Buxton*) .. 1939

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Bentinck.*)

After short debate, Question, "That the word 'now' stand part of the Question," put, and *agreed to*:—Main Question put, and *negatived*:—Bill *withdrawn*.

Sunday and Ragged Schools Bill [Bill 67]—

Moved, "That the Bill be now read a second time,"—(*Mr. C. Reed*) .. 1959

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Percy Wyndham.*)

After short debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided*; Ayes 228, Noes 71; Majority 157:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Tuesday* next.

Debts of Deceased Persons Bill—*Ordered* (*Mr. Hinde Palmer, Mr. Locke King, Mr. Headlam*); *presented*, and read the first time [Bill 165] 1972

Poor Law Board Provisional Orders Confirmation Bill—*Ordered* (*Mr. Peel, Mr. Goschen*); *presented*, and read the first time [Bill 166] 1972

Metropolitan Commons Act (1866) Amendment Bill [Bill 30]—

Select Committee *nominated*:—List of the Committee 1972

LORDS.

SAT FIRST.

MONDAY, MAY 3.
The Lord Meldrum, after the Death of his Father.

FRIDAY, MAY 7.
The Earl of Ilchester, after the Death of his Uncle.

MONDAY, MAY 10.
The Lord Bishop of Tuam.

TUESDAY, MAY 11.
The Lord Wynford, after the Death of his Father.

THURSDAY, MAY 13.
The Earl of Hillsborough, after the Death of his Father.

MONDAY, JUNE 14.
The Marquess of Anglesey, after the Death of his Father.
The Earl of Radnor, after the Death of his Father.
The Lord Leconfield, after the Death of his Father.
The Lord Ross, after the Death of his Brother.
The Viscount Combermere, after the Death of his Father.
The Lord Fingall, after the Death of his Father.

COMMONS.

NEW WRITS ISSUED.

MONDAY, MAY 3.
Bewdley Writ—Return amended—Hon. Augustus Henry Archibald Anson *v.* John Cunliffe Pickersgill Cunliffe, unduly returned.

WEDNESDAY, MAY 5.
For *Liskeard*, *v.* Sir Arthur William Buller, deceased.

MONDAY, MAY 31.
For *Stafford Borough*, *v.* Henry Davis Pochin, esquire, and Colonel Walter Meller, void Elections.

WEDNESDAY, JUNE 9.
For *Nottingham Town*, *v.* Sir Robert Juckes Clifton, baronet, deceased.

NEW MEMBERS SWORN.

THURSDAY, MAY 13.
Youghal—Montague John Guest, esquire.

MONDAY, MAY 31.
Liskeard—Right Hon. Edward Horsman.

THURSDAY JUNE 10.
Stafford Borough—Hon. Reginald Arthur James Talbot, and Thomas Salt the younger, esquire.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

FIRST SESSION OF THE *TWENTIETH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 10 DECEMBER, 1868, IN THE
THIRTY-SECOND YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

THIRD VOLUME OF THE SESSION.

HOUSE OF LORDS,

Monday, 3rd May, 1869.

MINUTES.] — *Sat First in Parliament*—The Lord Meldrum, after the death of his Father.
PUBLIC BILLS — *Select Committee* — Fine Arts Copyright Consolidation and Amendment (No. 2)* (51), *nominated.*
Committee—Report—(£17,100,000) Consolidated Fund*.
Report—Militia* (83); Lands Clauses Consolidation Act Amendment* (90).
Third Reading—Park Gate Chapel Marriages* (59), and *passed.*

TURCO-PERSIAN BOUNDARY LINE.

QUESTION.

VISCOUNT STRATFORD DE REDCLIFFE rose to ask—

1. Whether the negotiation carried on at St. Petersburgh between the British and Russian Governments respecting the Turco-Persian Boundary Line has come or is likely soon to come to a conclusion:

2. Whether the map of that frontier, undertaken by the two mediating governments with a view to the demarcation as settled by treaty, is so far completed that the identical copies of it may be forthwith delivered and used for the intended purpose:

3. Whether it be true that the Turkish and Persian Governments have agreed to submit the settlement of their frontier question to a mixed commission:

4. Whether it be intended, if such commission be appointed, to include among its members any person or persons hitherto employed in the construction of the map?

The noble Viscount said, he felt some diffidence in raising the question, because at this moment the attention of the Government and of the country was so much directed towards the West that the affairs of the East excited little interest. The subject of his question was, however, one of great interest and importance, and he hoped he should receive an assurance from his noble Friend (the Earl of Clarendon) that these negotiations, which had involved so much time and expense, were approaching a satisfactory issue. These negotiations, as stated four years ago, when calling their Lordships' attention to the subject, came under his notice as long ago as 1842 or 1844, when, after a good deal of bickering between the two Mahomedan Governments, a war broke out on the frontier. The Russian Ambassador acceded to his request that they should jointly mediate, and a Commission was appointed by the English and Russian Governments, the result being the conclusion in 1847 of the Treaty of Erzeroum. When, however, the question came to be considered how that treaty should be carried out, great difficulties arose; and it was at length decided by England and Russia to send their Commissioners to the disputed territory, that with the assistance of Engineer and other officers nominated by the two Mahomedan Governments, they might prepare a map of the whole frontier, between the Turkish and Persian Empires, from Mount Ararat to the head of the Persian Gulf. The Crimean War led to a suspension of the undertaking; but it had since been resumed, and at this moment there existed, or ought to exist, a complete map of the district, which was one of great political and commercial importance. He had been informed, and should be glad to know whether it was true, that the two Mahomedan Powers had agreed to the appointment of a Mixed Commission. If some person or persons who had taken part in the construction of the map were placed on such a Commission, there would, he thought, be a reasonable prospect of the early settlement of this long-pending question.

THE EARL OF CLARENDON said, that his noble Friend's long experience and distinguished services in the East eminently entitled him to call the attention of the House to any Eastern question. He could assure him that the subject had engaged the attention of Her Majesty's Government, and, indeed, he might say that Eastern affairs generally were receiving a very large portion of the attention of the Foreign Office. With regard to the particular subject referred to by his noble Friend, he need not remind him that, at the time the present Government came into power, the peace of Europe was endangered by a quarrel between Turkey and Greece, and the manner in which that quarrel had been settled had opened the way, he thought, to a better understanding between those two Powers; and it was equally desirable that the question which his noble Friend had brought forward, and on which so much time and money had been expended, should be brought to a satisfactory issue. It was agreed by the Treaty of Erzeroum that the two Mahomedan Powers should lay down a frontier line, which both of them should engage to respect, and England and Russia undertook as mediating Powers to assist in the work. It was suspended for several years on account of the Crimean War, although the English Government were willing that it should have been continued; and it was finally agreed that maps should be prepared by the two mediating Powers—maps not exactly defining the boundary, but marking out the district that was in dispute, and through which the boundary line should run. The English map was ready in 1865, and his noble Friend (Earl Russell) proposed that the two maps should be handed over to the two Mahomedan Governments, it being agreed that they should trace a line of frontier. The Russian map was ready in 1866, and both were sent to Constantinople. But, unfortunately, on comparison, there were such discrepancies between the two maps that they were practically useless. It was then thought best that one standard map should be prepared by England. Instructions were accordingly sent out, and the Foreign Office were informed that the map would be ready by December, 1868; but he had lately made inquiries, and had ascertained that it was not likely to be ready before July or August next. It had not yet been definitely arranged how it should be used, and in what manner it should be binding upon the two Mahomedan Governments; but as soon as the map was prepared a proposition on the subject would be made; and he could assure his noble Friend that, as far as the Government was concerned, there should be no delay in urging a settlement. There was no understanding between Turkey and Persia that the matter should be settled by a Mixed Commission; but there was every reason to believe that they were desirous of effecting an early settlement of the question.

BISHOPS OF WINCHESTER, SALISBURY, EXETER, AND BATH AND WELLS.

QUESTION.

THE DUKE OF SOMERSET asked, Whether any arrangement has been made or any measure is in contemplation to replace the three Right Reverend Prelates in the South-western counties who have now been for some time incapacitated by illness from the performance of any duties? He was anxious not to say a word which should give the slightest pain to those right rev. Prelates or their friends; but it was desirable that attention should be called to the unfortunate position of the counties in the South-west of England, with two of which he was especially connected. It was well known that in the Civil Service a person who could no longer discharge the duties of his office could retire, some provision being made for him; but in the case of the episcopate no such practice existed, though it was obviously unsatisfactory that men should continue for a long period to receive the emoluments and exercise the patronage of an office when they could perform none of its duties.

THE ARCHBISHOP OF CANTERBURY: I do not know whether I am quite in Order in answering the noble Duke's Question, or whether it should devolve on some Member of Her Majesty's Government; but perhaps, as I know more of the matter than anyone else, I may be allowed to give an explanation. It would not, I think, be right to regard all the cases to which the noble Duke has referred as alike. The case of my right rev. Brother the Bishop of Salisbury is that of a man of about my own age, who has been struck with sudden illness, the result of which no one can at present foresee, and it would be out of the question to suppose that any permanent arrangement could be made in that instance. Those who know that right rev. Prelate are aware that a more zealous and conscientious man does not exist, and that no person would be more unlikely than he to remain in possession of any office the duties of which he was not able to discharge. The experience of all of us shows that a man in middle age may be struck by sudden illness—as, for example, a Judge while going Circuit—and it is impossible and unreasonable to expect that any arrangement can be made for such a calamity. The noble Duke, no doubt, referred rather to the cases of two right rev. Prelates who, far advanced in life, have, through the failure of their bodily strength, been unable lately to discharge fully the duties of their office. Now, I may remind your Lordships that last year I endeavoured to convince you of the propriety of making some arrangement by which a Bishop thus disabled might be relieved from the active discharge of his functions. The discussion occupied more than one evening, and I am sorry to say that, notwithstanding all I urged, the House was of opinion that it was not advisable to do anything in the matter at that time. The result, therefore, is that these right rev. Prelates are unable to retire, because no arrangement whatever has been made whereby their retirement would be possible. In the case of Judges there is a settled arrangement; but when I endeavoured to urge on the House a similar arrangement for members of the Episcopal Bench, far advanced in years and suffering under great infirmity, the House thought it better nothing should be done to facilitate their resignation. The Bishop of Exeter, as your Lordships are aware, has been in failing health for a number of years. He is now of the advanced age of ninety years; but I am bound to say, from my communications with him, that he still preserves that vigour of intellect—when he is able to rouse himself—which characterized him in former times. It ought to be known that, now many years ago, he applied to Lord Palmerston's Government to put into effect the Act of Henry VIII., whereby he might have been relieved of the discharge of his duties by the appointment of a Suffragan. The Government, however, I have been told, acting under the best advice, thought it was not desirable the Act should be put in force. It cannot, therefore, be said that the Bishop of Exeter has not taken the only step which the law pointed out for securing the appointment of some one to perform such duties as, from advancing age, he was unable personally to perform. With regard to the Bishop of Winchester and the Bishop of Bath and Wells, of course it may well be supposed that the Bishop of Exeter having failed to induce the Government to take the course of appointing a Suffragan, they were deterred from making a similar application, believing that it would be equally fruitless. I do not attach any blame to Lord Palmerston's Government for not having taken that course, for no doubt it is difficult to put in force an Act which has not been applied for a very long time; but what I wish to point out is, there being no provision whereby the right rev. Prelates can be relieved of their office, they have taken such steps as were within their power to secure the performance of their duties. I hold in my hand communications from those right rev. Prelates, stating the arrangements they have made; and in order that your Lordships may see that, as far as it has been possible, the duties of those sees have been performed by deputy, I will read a portion of the letter I have received from the Bishop of Winchester—

> "I was laid low by illness a little more than a year ago. At the earliest possible period I issued three commissions, one to Bishop Ryan, for the performance of purely episcopal acts, and one to each of my archdeacons for the performance of other offices which do not require the intervention of a person of the episcopal order. I have desired my secretary to send your Grace a copy of these commissions. For the last six months I am thankful to say that it has pleased God so far to restore me to health and strength as to enable me to resume the supervision of my diocese. From a difficulty which I have in utterance, I am unable to take any part in the public duties of my office, nor can I hold such intercourse with my clergy as I could wish. No work, however, is undertaken in the diocese without my knowledge or consent. The work which for six months my archdeacons undertook for me I have in a great measure resumed. All the business of my diocese is brought under my immediate notice. I read all my correspondence myself, and by means of my domestic chaplain, who is resident with me, I communicate with my clergy on every subject which is brought before me. Bishop Ryan continues to undertake purely episcopal acts which, owing to my infirmity, I am unable to perform; and I am thankful to be able to say that during the past year there has been no delay either in the ordering of confirmations or consecrations. Since March, in 1868, confirmations were held last year throughout the county of Hants, and in the South London parishes, where desired. In Hants, 11,350 young persons received the rite of confirmation, and in Surrey 1,606. This year, by the middle of this month, confirmations will have been held in fifty-eight churches for the parishes of Surrey. During the same period of time fifteen new churches and about twenty additional churchyards have been consecrated, and seven churches have been re-opened after restoration. Bishop Ryan has also ordained sixty-seven deacons and priests for the work of the ministry in my diocese. I am happy to say that I do not think any application from any clergyman for episcopal work has been unattended to. I beg most heartily to thank your Grace for your kind expression of feeling towards myself, and to assure you that you read my feelings aright when you say that you feel sure that the care of my diocese is very near my heart."

I do not, of course, mean to say that that is the best possible way of superintending a diocese under such circumstances, but it is the only way which the law at present recognizes. If your Lordships would consent to a re-consideration of the question, I am sure a more satisfactory state of things might be introduced. I am happy to be able to say that Her Majesty's Government have been in communication with me as to the best mode of drafting a Bill whereby it would be possible for Prelates disabled by age or infirmity to be relieved from the discharge of their duties, and I trust that measure will soon be submitted to your Lordships, and that it will receive your sanction.

LORD LYTTELTON must express his regret that the Episcopal Bench appeared neither willing to press forward an increase of the episcopate themselves, nor to co-operate with any one else who might be disposed to take up the question. Sir John Coleridge, whose name would carry the greatest weight, had suggested to him the outline of a measure on the retirement of Bishops, founded on the analogy mentioned by the most rev. Prelate between Bishops and Judges; and knowing nothing of the communications between the Government and the most rev. Prelate on the subject, he had had a Bill prepared. He hoped the matter would be settled by legislation during the present Session.

THE ARCHBISHOP OF CANTERBURY said, he was willing to give every consideration to the noble Lord's Bill, and assured him he was mistaken in attributing to the right rev. Bench any unwillingness to co-operate with him with regard to an increase of the episcopate or any other question. With the encouragement of the Government he did not despair of a scheme being agreed to which would meet the difficulty.

THE BISHOP OF ST. DAVID'S said, that some exaggerations, proceeding from opposite quarters, but both calculated to do mischief to the Church, were prevalent as to the true nature and limits of the episcopal functions, and were calculated to do a great deal of harm to the Church. On the one hand zealous and well-meaning friends of the Church had formed an idea of the episcopal office that could not be realized, without a system of personal visitation which would involve such a multiplication of dioceses as would be neither practicable nor desirable—the diocese of London, for example, would require, supposing a Bishop to be required for a given number of population, not two but twenty Bishops. Now, he took a very different view of the duties of the office, believing that while it was the business of a Bishop to organize, direct, and stimulate every good work going on within the diocese, it was not necessary or even desirable that he should personally lay his hand to the work. On the other hand, it had been urged—and it was an exaggeration that lurked in the speeches of his noble Friend (Lord Lyttelton)—that if a diocese was deprived of the personal presence and action of its Bishops for a considerable length of time, it was either in danger of falling to pieces and the whole administration coming to a dead-lock; or that if this were not so the episcopal office must be a superfluity. Now, if a person were attacked by influenza or bronchitis, and were able to stand against it, though it might be fatal to others, the natural inference was that he enjoyed the blessing of a very strong constitution; but did it follow that, while the malady lasted, he stood in no need of medical assistance? A see deprived of the personal presence and activity of its chief pastor was certainly not in a normal state, but there were many things which very much mitigated the misfortune. The illness of a Bishop did not necessarily incapacitate him for all the duties of his office, for there remained many which he might be perfectly able to fulfil. He received the assistance of his brother Bishops for episcopal duties; and a great amount of help was habitually given by the archdeacons for duties not strictly episcopal. In all these cases the parochial machinery which was the pride and strength of the Church of England might be going on for a very long time without any interruption or abatement of its vigour, notwithstanding a misfortune of this kind which might befall the diocese. He should be sorry to make light of the disaster which had befallen these dioceses; but he thought that these considerations, if they were allowed to have the weight which was due to them, might serve to protect the Church both from groundless despondency even under very unfavourable circumstances on the part of its friends, and from groundless and mischievous reflections on the part of its enemies.

THE DUKE OF CLEVELAND said, the question of an increase of the episcopate —on which he would now offer no opinion—ought to be kept distinct from that of the appointment of Suffragans in cases of permanent illness. When a diocese was for any lengthened period presided over by a Prelate who was incapacitated for performing its duties, the episcopate itself fell into discredit with those who were not friendly disposed towards the Church. He did not doubt that the strictly episcopal duties in Winchester and Exeter were well performed by those appointed for that purpose, and that the archdeacons were quite competent to discharge such duties as were not strictly episcopal; but it was discreditable to the Church that there should be no arrangement with regard to Bishops unable from age or infirmity to perform their duties. It was unreasonable to suppose that Bishops, unless in affluent circumstances, would retire without any pensions, and he hoped some funds would be found for that purpose. The subject was of very great importance, and he trusted the right rev. Bench would aid the Government in preparing a measure which would put a stop to the mischief.

EARL GRANVILLE said, he desired it to be understood that the Bill now being prepared by communication between the most rev. Prelate and the Prime Minister dealt solely with the question of Bishops incapacitated from physical or mental causes, from discharging the duties of their dioceses.

LIFE PEERAGES—OFFICE OF LORD HIGH CHANCELLOR OF ENGLAND.

MOTION FOR AN ADDRESS.

LORD REDESDALE, pursuant to notice, moved—

> "That an humble Address be presented to Her Majesty, praying that for the advantage of this House and for the honour of the legal profession Her Majesty will be graciously pleased to sanction the erection of the office of Lord High Chancellor of England into a barony which shall entitle the holder of that office to a writ of summons to Parliament by such title as Her Majesty shall in each case be pleased to summon him; and that such writ of summons as aforesaid shall make the person receiving the same, although he may not continue to hold the said office, a Peer of Parliament for life without remainder to the heirs of his body.—(*The Lord Redesdale.*)

EARL STANHOPE appealed to the noble Lord not to proceed at present with his Motion. If the Motion should be rejected, it would seem to negative the principle of the Bill of the noble Earl (Earl Russell); while if carried it would apparently imply that no further step was required.

LORD REDESDALE said, he must admit there was some force in the noble Earl's representation, and was not unwilling to accede to his appeal. The Address would affirm, to a limited extent, the principle of life peerages; and therefore it might be desirable, before the House was committed to it, to see the state in which the noble Earl's Bill would come out of Committee. This, however, was no new idea, for as long ago as 1851—a desire being felt to strengthen the appellate jurisdiction of the House—he suggested that the Law might be represented in the same way as the Church—namely, by certain offices entitling those who held them to sit in this House. Thus some years before the Wensleydale case was discussed, he (Lord Redesdale) had called attention to the subject; but he received no encouragement to proceed with his proposition, which was that the Chancellor, the two Chief Justices, and the Chief Baron, should be summoned in connection with their offices; and he thought, if those peerages were continued to them for life on their retirement from those offices, they would prove most useful Members of the House. It appeared to him that the Office of Chancellor stood in a peculiar position in reference to the House. Although the Lord Chancellor was not necessarily a Peer, still he was Speaker of the House *ex officio;* and it seemed to be a very natural conclusion that the office should have a peerage for life attached to it *ex officio*. At the same time that might be coupled with another proposition which would prevent it from being at all invidious—that a person so summoned in connection with his office might at any time have the peerage so granted to him made hereditary by special grant from the Crown. Perhaps the whole question would be better discussed when they knew the disposition of the House in regard to the Life Peerage question generally. Under these circumstances he would withdraw his Motion, reserving to himself the power of bringing it forward on a future occasion.

THE LORD CHANCELLOR said, as his noble Friend had intimated his intention of withdrawing his Resolution, he would only make a single observation on the subject. His noble Friend commenced his Resolution by stating that "it would be for the advantage of the House and for the honour of the legal profession" that the course he recommended should be taken. It was not, of course, for him (the Lord Chancellor) to say what their Lordships would consider "for the advantage of the House;" but with regard to its being "for the honour of the legal profession" he must, at that moment, humbly enter his protest against the proposition that the Chancellor should be the marked exception from every other case, and that he alone should be fastened on as having the honour of sitting and voting in the House with simply a peerage for life. One other observation he would make. His noble Friend would excuse him for suggesting that, while he proposed to create a barony, it would rather seem that he intended the Chancellor to be a corporation sole; because he would continue to be a Peer when his barony was gone—that is, when he ceased to be Chancellor. If the Resolution were carried, they would never again have a Lord Chancellor other than a life Peer. The question, if considered at all, had better be considered in Committee on the noble Earl's Bill.

Motion (by Leave of the House) *withdrawn.*

House adjourned at half-past Six o'clock,
till To-morrow, half-past
Ten o'clock.

HOUSE OF COMMONS,

Monday, 3rd May, 1869.

MINUTES.]—BEWDLEY WRIT—*Return amended*—Hon. Augustus Henry Archibald Anson *v.* John Cunliffe Pickersgill Cunliffe, unduly returned.

PUBLIC BILLS—*First Reading*—Sheriffs (York County)* [102]; Norfolk Island Bishopric * [104].

Committee—Irish Church [27]—R.P.

Committee—Report—Contagious Diseases (Animals) (No. 2)* [38-103].

METROPOLIS—ST. JAMES'S PARK.

QUESTION.

MR. STAPLETON said, he wished to ask the First Commissioner of Works, Whether, inasmuch as the construction of the Thames Embankment has rendered it impossible to bathe in the Thames from the Middlesex shore, he will allow of bathing in some part of the ornamental water in St. James's Park in the morning before the inclosure is opened, and in the evening after it is closed to the general public; and, if the answer is in the affirmative, whether he will arrange that some small portion of the shore shall be set aside for the use of those who are willing to pay for a chair or arm chair to put their clothes on?

MR. LAYARD said, he could assure the hon. Member that he had done his best to ascertain whether he could afford accommodation to bathers in St. James's Park, but the thing was impossible; for the Park waters were of limited area, and the Park being open from sunrise to sunset, and the path by the side of the ornamental water being a much-used thoroughfare, to allow bathing in the Park waters might lead to a great deal of scandal.

IRELAND—THE MAYOR OF CORK.

QUESTION POSTPONED.

MR. DAWSON said, with reference to a Question of which he had given notice respecting the alleged speech of the Mayor of Cork, that, in consequence of a request made to him by the Attorney General for Ireland—the propriety and justice of which he fully acknowledged—he should postpone his Question until the following day. At the same time he wished to give the right hon. and learned Gentleman notice that he should also ask him a Question as to the attitude of the people of Cork, described in that day's telegraphic news, by which it appeared they had met in honour of the Mayor; and, whether the Government have received any authentic information upon that point?

POST OFFICE—MONEY ORDERS.

QUESTION.

MR. BAINES said, he would beg to ask the Postmaster General, Whether he could accommodate tradesmen and the working classes by reducing the charge for Money Orders to one penny for each Order below twenty shillings; twopence from twenty shillings to forty shillings; threepence from forty shillings to sixty shillings; or some similar proportion between the amount of the remittance and the cost of the Order?

THE MARQUESS OF HARTINGTON, in reply, said, he was aware that a reduction of the commission charged on small orders would be a great convenience to a large portion of the public; but the difficulty in the way of such reduction was that, although the whole Money Order system would still be remunerative, the smaller orders would be issued at a loss. He, therefore, doubted whether the department should undertake a reduction entailing a positive loss; but he would look further into the matter, and if the reduction could be made without considerable sacrifice to the Revenue he would endeavour to make it.

THE NEW COURTS OF JUSTICE.

QUESTIONS.

MR. PEMBERTON said, he wished to ask the First Commissioner of Works, Whether the particular attention of the Lord Chancellor has been called to the new site for the Law Courts selected by the Government, and whether his Lordship approves of the selection?

MR. LAYARD said, in reply, that the Bill which he should have the honour to introduce would be a Government Bill, and it was consequently not usual to state the views of any particular Member of the Government.

LORD HENRY LENNOX said, he wished to ask, If the right hon. Member would undertake, on the part of the Government, that before the Bill was introduced, or at any rate discussed, he would circulate amongst Members a plan of the site; and, also, if it would not be advisable to produce a model of the building and place it in the Library?

MR. LAYARD said, he hoped very soon to be able to place in the hands of hon. Members a lithographic plan by Mr. Street, but he was afraid he should not be able to do so if he introduced the Bill before Whitsuntide. The plan, however, would be in the hands of hon. Members before the second reading. As to the model, it would take a long time to settle the elevation of the building, but he could assure hon. Members that nothing would be done before the model was placed in such a position that they would have the opportunity of examining and criticising it in detail.

METROPOLITAN CATTLE MARKET.

QUESTION.

Mr. PELL said, he wished to ask the Vice President of the Committee of Council, Whether, in the event of a market for foreign animals being established in the Port of London, it is the intention of the Government to remove the restrictions recently imposed on animals brought into the Metropolitan Market, which prevent cattle being removed alive to any place out of the Metropolitan District?

Mr. W. E. FORSTER said, in reply, that the only answer he could give to the Question of the hon. Member was that it was the expectation and belief of the Government that, upon such market being made as was contemplated, it would be possible and perfectly safe to remove the cordon round the metropolis. He could not, however, pledge the Government as to what might be done under certain circumstances hereafter. That must depend on the state of the cattle disease on the Continent.

POST OFFICE.—WEST INDIA MAILS.

QUESTION.

Mr. STEVENSON said, he would beg to ask the Postmaster General, Why the West Indian Mails are not dispatched on fixed days of the week, such as the first and third Thursdays of the month, so as to avoid the great inconvenience of the present arrangement under which the Inward Letters sometimes arrive on the day of the departure of the Outward Mail?

The Marquess of HARTINGTON said, in reply, that the West India Mails could not be despatched on a fixed day except by substituting a fortnightly service for a bi-monthly one, and that could only be done at a considerably increased expense. The plan of the hon. Member for dispatching them on the first and third Thursday in the month would not answer, because an inconvenient interval would frequently be caused by the dispatch of these two mails. In the course of the present year there would be three cases in which three weeks would have elapsed between the third Thursday in one month and the first Thursday in the next.

REVENUES OF INDIA.

QUESTION.

Sir STAFFORD NORTHCOTE said, he would beg to ask the Under Secretary of State for India, What restrictions are imposed by Law, or by the authority of the Secretary of State in Council, upon the power of the Governor General of India in Council, with respect to the expenditure of the Revenues of India; and, whether he can lay upon the Table of the House any Regulations that have been made, or any Correspondence that has taken place since 1858 between the Secretary of State and the Government of India on this subject?

Mr. GRANT DUFF replied that, in matters of expenditure, as in all others, the Governor General of India was entirely subject by law to the Secretary of State in Council, and any wilful neglect of or disobedience to orders was punishable as a misdemeanour. It had not, however, been the practice, and he trusted it never would be, to exercise a vexatious control over this great functionary, who constantly acted on the tacit assumption that his acts would be sanctioned by the Secretary of State in Council. For all practical purposes the control of the Home Government was complete, because in case of any new and serious expenditure the Governor General consulted the Secretary of State by telegraph.

TURNPIKE TRUSTS.

QUESTION.

Mr. WHALLEY said, he would beg to ask the Secretary of State for the Home Department, Whether he is prepared to support the Bill now before the House for affording facilities for the voluntary abolition of Turnpike Tolls on Roads and Bridges; and, if not, whether he is prepared to introduce a Bill for dealing with the question otherwise than is proposed by the said Bill?

Mr. BRUCE, in reply, said, he regretted that it was not in his power to support the Bill on the subject of turnpike trusts, which dealt with these trusts in a very imperfect and fragmentary manner. He could not undertake to introduce a Bill during the present Session, but he should be prepared to do so as soon as a fair opportunity occurred of giving it due consideration.

ARMY—BRITISH GRAVES IN THE CRIMEA.—QUESTION.

MR. STOPFORD said, he wished to ask the Under Secretary of State for Foreign Affairs, What sum has been spent for the purpose of keeping in repair British graves in the Crimea since the termination of the war with Russia; who is or has been responsible for the proper application of any money so spent; and has her Majesty's Government any recent information as to the present state of the cemetery?

MR. OTWAY replied that the last information in possession of the Government was contained in a despatch which had been received from Her Majesty's Ambassador at St. Petersburg, who accompanied the Prince and Princess of Wales in their visit the week before last to the graves of those who fell in the Crimea. Some suggestions had been made as to a better preservation of those graves. He regretted to say that he could not satisfactorily answer the first part of the Question; because it would be necessary to communicate with various departments with regard to the expenditure and its application. But as the subject had created a deal of interest—not only in that House, some of whose Members fell in the campaign in the Crimea, but in many of the homes of the people in this country—he would ask the hon. Member to repeat the Question in the course of a short time, and he should then perhaps be able to give him some further information on the subject.

THE O'FARRELL PAPERS.

QUESTION. OBSERVATIONS.

MR. NEWDEGATE said, that since he had given notice of his Question in reference to the O'Farrell Papers he had received information which would have induced him to alter its form had he received that information in time; and, in order that he might fairly explain the position in which the matter stood, he would move the Adjournment of the House. He did not think that there was anything unfair in the Question as it stood, and he thought it only right and fair that the Prime Minister should have the opportunity of answering it. It was not beside the subject at all as it now stood. The Question was to ask the First Lord of the Treasury, "Whether directions, or a recommendation for the Suppression of the Evidence taken before, and the Report of the Committee of the Australian Legislative Assembly, appointed to consider the Papers relating to O'Farrell, were sent to the Government of the Colony from the Government of this Country; and, whether the Government will consent to lay the above Report and Evidence upon the Table of this House and to their being printed?" Before giving notice of the Question he examined the Australian papers with reference to the Report of the Committee, and he found the following notice at the head of it:—

> "The Report of the Committee was expunged from the proceedings by Order of the House, made on Thursday, 18th February, 1869. AM. (See Votes and Proceedings, No. 40, entry 7, Session 1868-9. Legislative Assembly Chamber, Sidney, February 18, 1869. AM."

These were the Papers with reference to O'Farrell which the Prime Minister had deposited in the Library. Since he had inspected those documents he had received fresh information respecting them, and he thought it right to inform the House that, although there was evidence that some communications with reference to the inquiries of that Committee appeared to have passed between Her Majesty's Government and the Colonial Government, the subsequent information he had received assured him that the expunging of the Report was not the direct act of, nor did he know that its being done was in accordance with, any suggestions from Her Majesty's Government. The evidence was, if anything, in contradiction of that supposition. Until the Prime Minister answered the Question the fact of interference on the part of Her Majesty's Government for the suppression of the Report, or against its suppression, must rest to a certain degree upon conjecture. Since he gave notice of the Question he had received what appeared to him to be reliable evidence as to the expunging the Report of this Australian Committee, and that the Order to expunge related only to the Report, and not to the evidence. This was the deliberate act of the Australian House of Assembly. He found that the Chairman of the Committee was Mr. Macleay, who occupied the position of Prime Minister in Australia. The Report of that Committee was carried by his casting vote. This Report was held by the House of Assembly to misrepresent the effect of the evidence, and to be utterly contrary to the information which the Assembly possessed. The Assembly, therefore, adopted a resolution that the Report be expunged, and the order for expunging the Report was carried by a majority of 32 against 22. That was the act of the Australian Parliament. He thought it would not be fair or right to infer that the Report was expunged, or that the evidence was suppressed through any directions or under any Order of Her Majesty's Government. That the Government might have the opportunity of making a statement, he would move the Adjournment of the House.

Mr. SPEAKER said, he could not put the Question without reminding the House that the privilege of moving the Adjournment of the House upon asking a Question had been reserved by the common consent of the House for occasions of urgency. Unless that privilege were exercised with forbearance, the result would be fatal to the successful conduct of Public Business.

Moved, "That this House do now adjourn."—(*Mr Newdegate.*)

Mr. MONSELL said, he thought he should be acting in accordance with the wishes of the House, by simply answering the Question of the hon. Member as it appeared upon the Paper. The answer he had to give to the first part of that Question was this, that no directions or recommendations for the suppression of the evidence taken before the Committee of the Australian Legislative Assembly appointed to consider the O'Farrell Papers were sent to the Government of the colony by the Government of this country. The second part of the hon. Member's Question was, whether the Government would consent to lay the above Report and evidence upon the Table of this House, and to their being printed. In reply to that part of the Question, he had to state that that Report and the evidence taken before the Committee had already been placed in the Library of the House, and were at the disposal of any hon. Member who might wish to see them; but that it was not the opinion of Her Majesty's Government that it was desirable to present these Papers to the House or to put the country to the expense of having them printed.

Mr. MAGUIRE said, before the Motion for Adjournment was withdrawn, he must express his belief, and the belief entertained by the majority of the people of the South of Ireland, that the terrible offence of which that wretched man was guilty was the act of a lunatic—the act of a man who was suffering under *delirium tremens*—that he had no connection with any other human being, and that the crime was that of a man reduced to a state of lunacy from the effects of drink. He made a certain rambling statement when he was not entirely free from drink; but when he was under the shadow of death he gave the most solemn and awful assurances that he had no connection with any human being; that the act was not the result of a plot. He (Mr. Maguire) thought it was only fair to the character of his own country that it should be fully understood that the people in the South of Ireland firmly believed that O'Farrell was not connected with any other person, that his act was a wanton act of wickedness, the result of a state of mind produced by drink.

Motion, by leave, *withdrawn.*

IRELAND—RIOTS IN LONDONDERRY.
QUESTION.

Mr. Serjeant DOWSE said, he would beg to ask the Chief Secretary for Ireland, Whether it is the intention of the Government to institute an inquiry into the origin and progress of the late riots in Londonderry, with a view to prevent any future public breach of the peace in that city?

Mr. CHICHESTER FORTESCUE, in reply, said, the hon. and learned Gentleman might rest assured that the subject was under the consideration of the Government; but it was premature to give a decided answer, seeing that the report of the inquest had not yet been received.

IRELAND.—RATES ON DISTURBED DISTRICTS.—QUESTION.

Colonel WILSON-PATTEN said, he wished to ask the Chief Secretary for Ireland, Whether there is any objection on the part of the Government to lay upon the Table of the House Copies of the Correspondence that has taken place between the Irish Government and the local authorities of the disturbed districts; and more especially that entered into with the Lord Lieutenant with respect to the levying the Rates in the disturbed districts, in accordance with the 8th section of the Preservation of the Peace Act; and, also, whether the Government have received any Report of the reasons why the Rates have not been collected in some places? He should also wish to have a Return of the mode in which the Rates have been collected for several years past by successive Governments.

Mr. CHICHESTER FORTESCUE replied, that he would be most anxious to furnish the right hon. Gentleman with all the information it was in his power to give. Speaking on the spur of the moment, he had no doubt that he could furnish him with the Return of the names, facts, and dates relating to this subject. With regard to the correspondence, however, he was not able to say whether he could produce it or not, seeing that much of it, as the right hon. Gentleman must be aware, was of a confidential character. He would see how much of it he was at liberty to produce, and if the right hon. Gentleman would come down to the Irish Office in a short time it should be at his service.

Colonel WILSON-PATTEN said, he had seen the whole of the correspondence, but was particularly anxious that the correspondence with the magistrates of the county of Tipperary respecting the unfortunate affair in which Mr. Scully was engaged should be laid upon the table of the House.

Mr. CHICHESTER FORTESCUE said, there could be no difficulty whatever with regard to the production of the correspondence with these magistrates, which was, of course, not confidential.

PARLIAMENT—WHITSUNTIDE HOLYDAYS.—QUESTION.

Colonel FRENCH said, he would beg to ask the First Lord of the Treasury, What arrangements the Government are prepared to propose with regard to the Whitsuntide Recess?

Mr. GLADSTONE: In answer, Sir, to the right hon. and gallant Gentleman, I have to say that I think that the arrangement which the House has been kind enough to sanction will enable us, as far as we can estimate, to bring the Committee on the Irish Church Bill to a close in the course of the present week. Should our anticipations upon that point be fulfilled, we should propose to redeem our engagement to the hon. Member for East Suffolk (Mr. Corrance), who was kind enough to waive his right of precedence on a former day, by fixing his Motion for Monday next. We should then propose to take the Report of the Irish Church Bill on the following Thursday; and, in the event of our getting through the Report on that evening, we should propose to adjourn from that day to the following Monday week. ["Oh, oh!"] Well, that is not written in letters of iron; but I believe it is in accordance with the general wish of the House. Such is the intention of the Government. We hope, if possible, to adjourn on Thursday.

IRISH CHURCH BILL—[Bill 27.]

(*Mr. Dodson, Mr. Gladstone, Mr. John Bright, Mr. Chichester Fortescue, Mr. Attorney General for Ireland.*)

COMMITTEE. [*Progress 29th April.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 30 (Enactments with respect to mixed endowments).

Lord CLAUD HAMILTON said, he wished to bring under the notice of his right hon. Friend at the head of the Government a case which had been communicated to him by one of his constituents. There was a living in the diocese of Cashel to which the present incumbent had been appointed in 1810. At that time, and for long before it, there were no glebe lands attached to the living; but in some old maps and documents the incumbent discovered what he thought gave the living a claim to twenty-five acres, which were in the occupation of Lord Mount Cashell. He tried the question in three different actions. Twice he was beaten, but in the third action he succeeded. The costs of the three actions amounted to almost the value of the fee simple of the lands recovered. He wished to know from his right hon. Friend whether that case would come within the terms of this clause?

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan) said, that the case mentioned by the noble Lord was a very uncommon one. He had no doubt that the property recovered was a public and not a private endowment; but the costs were another matter, and the Government would consider whether there was not a sort of salvage claim in the case.

Clause *agreed to.*

Clause 31 (Limitations of right to purchase fee simple in consideration of perpetual rent) *agreed to.*

Clause 32 (Sale of tithe rent-charge to owners of land),

Mr. H. A. HERBERT said, he would propose to substitute eighteen years' purchase for twenty-two and a-half years' purchase as the price at which landlords could acquire the tithe rent-charge. The Returns of the Incumbered Estates Court showed that from 1850 to 1869 the average price of such property was only fifteen and three-quarters years' purchase. It was very hard that the price should be placed so high, especially as while they were to be allowed to deduct the poor-rate from the calculation, yet they were not to be allowed to deduct the income tax. He begged to move in page 15, line 8, to leave out "twenty-two and a-half," and insert "eighteen."

The CHAIRMAN said, that the hon. Member for Brighton (Mr. Fawcett) had an Amendment on the Paper which would precede that proposed by the hon. Member.

Mr. FAWCETT, said, he would not propose his Amendment, though his objection to the term fixed by the clause was not that it was too high, but that it was too low. The tithe rent-charge appeared to him to be an admirable source of revenue, and the Government ought certainly not, in his opinion, to encourage its commutation. He trusted, at all events, that the Government would adhere to the figure in the clause.

Mr. WALTER said, he wished to offer a few remarks in reference to the explanation of this part of the Bill given by the First Minister of the Crown upon the second reading. He concurred in the opinion that a landlord whose property was saddled with any charge should have the right of pre-emption, whether it was marketable at twenty-two and a-half, eighteen, or ten years' purchase. But he desired to call attention to the extraordinary plan by which the Government proposed to facilitate this arrangement. In the by no means improbable event of the landlord not being in a position to redeem the charge, there was to be some fictitious, imaginary, and to him, wholly unaccountable transaction between the landlord and the Government, by which the Government nominally and on paper advanced him the amount that was necessary, the money to be re-paid at the rate of 4½ per cent, in forty-five, or, as was now proposed, in fifty-two years, by which process the tithe rent-charge was to be extinguished at the end of that period Unless he had misunderstood his right hon. Friend, he could only regard this as a most extraordinary discovery in finance, because he was at a loss to understand why the same principle should not be applied to the National Debt, and why the fundholders should not be paid off in a similar manner. The plan had been compared to the advances which were made for the purpose of draining lands, but in the latter case there was this difference—that money actually did pass. The transaction, however, appeared to be somewhat analogous to the arrangements made during the time of the railway mania, when the railway companies, in order to comply with the Standing Orders, figured in the books of the banks as having received advances which in point of fact had never been made. It resembled the plan suggested by the ex-President of the United States for paying off their National Debt, and it certainly was one which, in the absence of further explanation, seemed to be indefensible.

Mr. FAWCETT said, he thought that the discussion on this subject would arise more naturally when an Amendment which he had to a latter portion of the clause came under consideration.

Sir STAFFORD NORTHCOTE said, he wished for some explanation as to the basis upon which the rent-charge was to be calculated. The charge was not a fixed, immovable sum, but varied from time to time according to the price of corn. He wished to know whether, in fixing the purchase money, reference was to be had to probable fluctuations?

Mr. GLADSTONE said, he thought that as objections to the clause were taken from three separate quarters, it would contribute to clearness if he made some explanation at once. The right hon. Baronet (Sir Stafford Northcote) was perfectly accurate in saying that the tithe rent-charge was not a constant quantity. It was fixed every year, but was capable of varying periodically; and what the Government proposed was to take it at the sum at which they found it, and to get rid of future variations. This was a matter of detail, and did not touch the principle of the clause. The number of objectors to this clause might at first sight seem somewhat alarming, but it must be recollected that the objectors fired into one another. Some struck very considerably above the average fixed by the Government, and others very considerably below it. The hon. Member for Berkshire (Mr. Walter) thought that there was something of a juggling character in this proceeding. He was not surprised at it, for he had rather anticipated that this would be the view taken of a financial operation apparently so mysterious. But the mystery, if any, lay in the terms and in the machinery, and in nothing else whatever. No doubt in the Bill there was said to be a sale on one side, an advance on the other, and a gradual liquidation of the advance by instalments with interest charged at 3½ per cent; but the simple effect of the clause was that, allowing for a very possible and slight inequality—allowing for the difference between the past poor rate on which the estimate had been founded, and what it might prove to be—there was no doubt that it was equivalent to enacting that the landlords should continue for a given term of years, which he proposed to fix at fifty-two, to pay to the Commissioners, or a body representing the State, the very same sum which they had theretofore paid to the clergymen, and that at the end of that term they should cease to pay anything at all, and that the rent-charge should absolutely merge. His hon. Friend would see that all that phraseology and apparent machinery might be cast aside altogether. But his hon. Friend said that if that was a legitimate financial operation, he saw no reason why the Chancellor of the Exchequer should not be in a condition to pay off the National Debt. And so he would provided he could find somebody to lend him the money for that purpose at the necessary rate of interest. The Government to make over the tithe rent-charge to the landlords on terms which produced about 4½ per cent, while they made an advance to him at the rate of 3½ per cent, so that there would be formed out of the difference of 1 per cent a sinking fund which would absorb the whole of the capital; and if it should happen that, on some happy morning, his right hon. Friend the Chancellor of the Exchequer should receive from some solvent parties a communication to the effect that they were ready to lend him at the rate of 2¼ per cent an amount equal to that of the National Debt on which there was at present paid about 3¼ per cent, it would be in the power of his right hon. Friend to arrange a plan under which the extinction of the Debt would follow as a matter of course, and to the satisfaction of all parties: that was the solution of the mystery, and the difficulty was in the terms alone. If any one were to choose to call this a gift to the landlord of the reversion to the tithe rent-charge after a certain number of years, he would give what would be on the whole a perfectly good and valid description of it. He would next pass to the arguments of his other two hon. Friends. He believed that the abstract proposal of his hon. Friend the Member for Brighton (Mr. Fawcett) was nearer the mark than that of his hon. Friend the Member for Kerry (Mr. H. A. Herbert). His hon. Friend the Member for Brighton had proposed that a higher charge than that demanded by the Government should be exacted from the landlords, while his hon. Friend the Member for Kerry moved an Amendment, to the effect that the payments should be reduced from a period of twenty-two and a-half years to one of eighteen years; and that Amendment, he presumed, would be supported by the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli), who had placed a Notice on the Paper which showed that he thought the Government proposed to charge too much. But it was with some surprise that he saw that Amendment in the name of the right hon. Gentleman, because those who recollected the speech of the right hon. Gentleman on the second reading of the Bill would, no doubt, remember that he vehemently criticized and found fault with it as giving away the property of the Church to the landlords. But, what was more important, he (Mr. Gladstone) believed he could show in a very few words that that was an equitable proceeding. He could find no common ground with his hon. Friend who had moved the Amendment. His hon. Friend said that they ought not to demand a higher sum than that at which the tithe rent-charge was commonly sold in the market, which he took to be about eighteen years' purchase. But it should be remembered that there had always existed a good deal of insecurity about the tithe rent-charge, and they must suppose that its value had in consequence been kept below its natural level. But they would sell upon entirely different conditions in the case contemplated by the Bill; and the lending of all the money to the buyer was so favourable to the promotion of the purchase that it might almost authorize the seller to fix his own terms. If they were to accept the proposal of his hon. Friend the Member for Brighton to strike out the clause the effect would be that the tithe rent-charge which, under a previous clause, they had provided should be vested in the Commissioners, would be paid throughout all time. Therefore this clause was one in favour of the landlords. The hon. Member for Brighton (Mr. Fawcett) might say that that was his case, and he did not wish to legislate in favour of the landlords; but he (Mr. Gladstone) should observe that in such a matter they must look not merely to the abstract figure, and to logical rule, but to policy and equity. He did not by any means admit that the landlord had any claim of a definite character, on the ground of equity, which should prevent his paying the full price for what he was about to purchase; but, apart from that, he thought there was a great principle of public policy involved; and considering how unhappy for a long series of years had been the history of that question of tithe rent-charge, he believed there was great policy in getting rid of it altogether, and causing it to merge into the general revenue of the land. It was that consideration of policy which had led the Government to think that if, without calling on the landlord to pay anything except what he had been accustomed to pay, they could obtain for the tithe rent-charge a sum representing twenty-two and a-half years' purchase, they should, upon the whole, be doing pretty equal justice to all parties. It was upon that general ground, and not upon any ground of speculative right or political economy, that he recommended the clause to the

Committee. He thought that considerations of policy justified them in abating somewhat of the price they might have exacted in that case, while, on the other hand, he did not believe there was any ground for diminishing the number of years during which, under the clause, the payment was to be made.

Mr. HUNT said, the explanation which had just been given by the right hon. Gentleman was perfectly clear. The result was this—the payer of a permanent annuity would find himself free from it at the end of a certain number of years. No doubt the transaction was favourable to the landlord; but the right hon. Gentleman had omitted to explain why he had selected this particular rent-charge for the operation. He believed the right hon. Gentleman would be puzzled to say why the landlord should not have an equally favourable opportunity of getting rid of a perpetual quit-rent, or of extinguishing the rent-charge payable to a lay impropriator. It would be a great boon to all landlords if, at the end of fifty-two years, they could extinguish what was nothing but a permanent annuity; and, if they set the precedent then proposed, he did not see why landlords should not come to them hereafter, and ask to have the advantage of this arrangement extended to all perpetual payments out of land.

Sir MICHAEL HICKS-BEACH said, he did not object to the first paragraph of the clause, which simply provided that the tithe rent-charge might be sold to the landlords, who, as owners of the soil, had, naturally, the right of pre-emption. This was nothing but what was done every day in England by the Ecclesiastical Commissioners; but the second part of the clause, the omission of which was moved, consisted of a financial process, under which the landlords would, for fifty-two years, continue to pay to the State the exact sum which they had hitherto paid to the Church; and at the end of that time, would, in reality, obtain the tithe rent-charge as a gift. Now, these landlords had already been liberally dealt with in the clause relating to advowsons, and were to be saved the cost of asylums, infirmaries, and reformatories; so that, as far as they were personally concerned, they had not much reason to complain of the provisions of the Bill It might be said that the landlords ought to be liberally dealt with, inasmuch as upon them would mainly devolve the maintenance of the future voluntary Church; but he feared that they must not expect any very large contributions under that head from persons who had for centuries not been subjected to such a liability. He was prepared, however, to deal liberally with the resident landlords. They were the poorer class; they would continue to pay the annual sum just as they had paid tithe rent-charge, and many of them would naturally feel reluctant to pay anything in addition to the Church, not only on account of their poverty and inability, but also because they might think that the blame for the appropriation of the revenues of the Church to secular purposes rested with Parliament and not with themselves. Much help could not be expected from the farmers, whose predecessors went to Ireland on the faith of having the Church maintained for them; and, therefore, he wished every consideration to be shown for the resident landlords. But he confessed that he entertained doubts as to the propriety of giving even them the tithe rent-charge; and he was altogether at a loss to know how giving it over to absentees could be justified. Probably the result would be that the absentees at the end of the fifty-two years, though they would have got rid of the payment of the tithe rent, would put the money into their pockets, and pay nothing for the support of the Church. He was prepared to admit that many of their estates were well managed, and the tenantry carefully looked after; but he had been much struck by the observation of the right hon. Gentleman the Member for the University of Dublin (Dr. Ball), that the absentee landlords were not renowned for their contributions to objects of real benevolence. The Government in effect admitted this when they proposed to devote these large public endowments to the erection of infirmaries, reformatories and lunatic asylums upon a very wide scale in Ireland. Now, he thought it would be admitted that, as a general rule, people were more ready to contribute to the support of institutions for the relief of sickness and suffering than to the maintenance of religion. How, therefore, could they expect that absentees would support a Church for others, if they had so far failed to provide for the ordinary charitable institutions of the country, that the Government were compelled to supply the deficiency? He said further that they were actually, by the nature of their proposals, holding out a premium to absenteeism, that curse and calamity of Ireland, which deprived the country of the benefit of a large expenditure, which withheld from it the social influence exercised by a landlord among his tenantry, which took away the hand that ought to administer charity, and the head and heart that ought to sympathize with and counsel the poor in their necessities. Take the case of a landowner in the South of Ireland, who, with his family and a few tenants, were the only Protestants in the parish; he and his ancestors, with the Protestant clergyman, having been for ages past the principal benefactors of the poor, Roman Catholic and Protestant alike. The Protestant clergyman having been removed by a previous clause of the Bill, by that now under consideration, Parliament held out to the landowner the strongest temptation to migrate to some parish in the North of Ireland, where there would be other Protestants to aid him in supporting the expenses of the Church, or else to England, where he would find a Church maintained for him free of expense. What would be the effect upon the country if the resident proprietor were tempted away? The Knight of Kerry, in a letter which he had written, said that it would be far better in many districts for the Roman Catholics themselves to pay the Protestant Clergyman than to lose the benefits of a proprietor resident among them. There was no other clause, he thought, upon which the question could be so conveniently discussed as upon the present, whether the tithe rent-charge could rightly be taken away from the Church. Long before the fifty-two years had expired the Roman Catholics of Ireland, he ventured to say, through their representatives in the House of Commons, through their advocates in the Press or through their Bishops, would raise an outcry to this effect—What we want is real equality; therefore either disendow the Church of the majority in England also, or give us — who are the Church of the majority in Ireland — the endowment of which we have been deprived. He certainly thought that the title of the present Established Church in Ireland would be good against such a claim, but he doubted whether the title of the landlords would be held to be equally valid. Bishop Moriarty had said that "the Roman Catholic Church was the rightful owner of the Church property in Ireland as a spiritual corporation, and no prescription or statute of limitations could bar her claim." The tithe rent-charge, he contended, had not only been for centuries dedicated solely to the service of God, but was never given by the State to the Church; and in no other country in the world had it ever been applied to secular purposes. Its origin he attributed to the gifts of pious laymen following the practice first instituted by the Jews, and which at last became so general that the State acknowledged the claim of the Church to a portion thus set apart for sacred purposes, and felt itself able to enforce the custom and to render payment compulsory. But the proposal now before the House to take away money which had been thus given, and to divert it to secular purposes, had never yet been carried out in this country. The Act of Henry VIII., in suppressing the monasteries and appropriating their funds, afforded no precedent for the present proceeding; for the monasteries were acknowledged by every one to be institutions hurtful to society, whereas no one had ever contended that the Protestant Church in itself was likely to be hurtful to Ireland. On the contrary, those who were most strongly for its extinction politically declared that their object was to free the Church and render it more efficient for religious purposes. He yielded to no one in the force of his objections to many of the tenets of the Roman Catholic religion, and he could not witness with entire approval the payments to Maynooth. But he would rather see the whole of this tithe rent-charge devoted to the purposes of the Roman Catholic religion than see it taken from the Church and appropriated to purely secular objects. In his opinion, the proposal of the Government combined sacrilege with bribery. ["Oh, oh!"] Those were strong words, but nothing less strong would express his feeling. He believed it to be sacrilege because it was taking away from the Church property to which the State had no right, and devoting it to secular purposes; and bribery also, because it was attempted to secure the consent of the landlords by handing over to them the property upon terms making the transfer a gift and not a sale. The proposal he regarded as wrong in the sight of God. As such, it could bring neither contentment nor prosperity to Ireland.

THE ATTORNEY GENERAL FOR IRELAND (Mr. SULLIVAN) said, there was no one acquainted with Ireland who did not sympathize with the hon. Member for East Gloucestershire in the observations which he addressed to the Committee in regard to absentee landlords, but he was unable to see what was the effect of the hon. Member's argument in relation to this clause, and he did not think that the hon. Member had put the case very fairly when he traced the misfortunes of Ireland in the absence of the landlords. That these absentee landlords did not contribute to the support of religion in that country was no doubt a lamentable circumstance; but it was only one of the results of a richly endowed Church Establishment, that it dried up the fountains of private liberality. How was it possible, he would ask, to make this tithe rent-charge, purchaseable at twenty-two and-a-half years, affect the question of the absentee landlords of Ireland? How could the omission of that portion of the clause which made the tithe rent-charge payable by instalments in relation to the purchase-money lessen the evils of absenteeism? The evils of absenteeism must be met by stronger measures and different means. With respect to what had fallen from the right hon. Member for North Northamptonshire (Mr. Hunt), it was to be observed that the Commissioners under the Act would not become masters of the impropriate tithe rent-charge, but of the tithe rent-charge. The impropriate tithe rent-charge was private property, and the House could not compel the owners to sell except upon equitable terms. The reason why facilities were given for the sale of tithe rent-charge was that the State was master of that property, and could deal with it without invading any private right. It was desirable that the tithe rent-charge in Ireland should cease, and the sooner it was put an end to the better. The reason why it sold at a low figure was the universal distrust that existed as to the security of this species of property, the result of that insecurity being that it had sold as low as twelve and seventeen years' purchase. The Act 1 & 2 *Vict.* took 25 per cent off, and people argued that the same thing might occur again; but the circumstances were very different when this tithe rent-charge became the property of the State, and when the State dealt with it. The quit-rent was redeemed in Ireland at twenty-five years' purchase; why, then, should not the tithe rent-charge be redeemed at twenty-two and-a-half years? The effect of payment by instalments would simply be to enable the landlord to borrow money at 3½ per cent, and this was in accordance with all the other clauses of the Bill. The purchase and the instalment would go hand in hand.

DR. BALL said, that according to the Amendment of the First Minister of the Crown he allowed a deduction from the annual payment equivalent to an average of the poor rates for the last five years; and he wished to know whether that deduction was to be on the entire sum paid each year, for the fifty-two years, or how?

MR. GLADSTONE said, that, in lieu of paying to the Commissioners, or the body representing them after they had ceased to exist, the tithe commutation rent-charge gross, the landlord would be able to deduct the amount fixed by the words of his Amendment—namely, the sum which he had been, on an average of five years, entitled to deduct for poor rates.

SIR FREDERICK W. HEYGATE said, he regarded this discussion as a most humiliating squabble for Irish landlords to be engaged in. He quite agreed with his hon. Friend (Sir Michael Hicks-Beach) that the clause was nothing less than bribery and sacrilege. The Irish landlords were, in fact, asked to take a bribe and assist the Government to pass the Bill; but, if they did not accept the terms offered to them, they would put the Government in a position of some difficulty. The tithe rent-charge was a first charge upon property, but involving a religious obligation. He would ask those Irish landlords who felt inclined to fall into the trap of the Government, whether the purchase of the tithe rent-charge would improve the title by which they held their property? If the property of the Irish Church, which had lasted more than 200 years, could be re-opened, would the property of the landlords, when it included the property of the Church, which had cost them nothing, be more secure? One great reason of the insecurity of property in Ireland was that the owners of property in that country were so few. He would rather that the tithe rent-charge should be sold to the public than see the owner of land buying up property which never was and never could be his. He should like to know what was to be the result in the case of the owner of entailed estates? He wished to ask the Prime Minister, in the case of a landlord who bought a tithe rent-charge, would that rent-charge become part of his property, or would it partake of the nature of an entail under which he held his property.

MR. BAGWELL said, he thought that the Irish landlords would not object to the proposition of the Government in a pecuniary point of view, but he would like to see the tithe rent-charge extinguished long before fifty-two years. That was a time which no hon. Gentleman in that House could look forward to see the end of, and it was a considerable period in the life of a nation. But suppose the proposition were accepted of selling the tithe rent-charge at eighteen years' purchase. It would be always more or less a source of quarrel as long as it lasted. If the thing were to go on for fifty-two years, the time might come when some one—some powerful Minister would come down to that House and propose the repeal of this Act. He was a lay impropriator, and 25 per cent had been taken off his property. Not that he had any objection to it—he did not say a word against it; but what he wanted was that, by making these purchases easy, they might get rid of the thing at once. If these tithe rent-charges were to be sold at eighteen years' purchase, and it was to be made a first charge on the land, he believed he might turn to an hon. Friend of his, and ask him to lend him £5,000 to buy the tithe rent-charge, and the thing might be extinguished at once. But as long as the tithe rent-charge was to be paid, so long would the Protestant landlords of Ireland feel that they were paying double—that they were paying to the Government what they should have given to their clergyman, and that feeling would always act as a check on their liberality. Then there was another serious thing that ought to be taken into account, and that was the non-resident landlords. He did not expect that they would ever give 1*s.* for the support of the Church in Ireland. He had some knowledge of absentee landlords in connection with his own county (Tipperary), and his experience was that they did not subscribe to anything. It was with the greatest difficulty that from the very largest absentee proprietors even a nominal subscription could be obtained. The noblemen in this country who were drawing large sums of money from Ireland gave nothing to charity in that country, and therefore he did not think it likely they would give anything to religion. The whole charge, therefore, for supporting the Church would be thrown on the resident landlords. He was not asking the Government to get rid of the tithe rent-charge for less than the value. He should be very happy to sell his own lay tithes for eighteen years' purchase. If the Government were to sell the thing at once and thus get rid of it, they would be doing more for the Church in Ireland than by anything that was to be done under this Bill.

Colonel BARTTELOT said, if he understood his hon. Friend who had just sat down rightly he had stated that he was a lay impropriator, and that his tithe had been reduced 25 per cent by the action of Parliament. He understood from the right hon. and learned Gentleman the Attorney General for Ireland that it was utterly impossible to touch private property. Now, the case which pressed so hardly with respect to this clause was this—suppose the right hon. Gentleman at the head of the Government had a property in parish A which paid £600 a year, and he (Colonel Barttelot) had a property in parish B which paid £600 also; by this clause, after a certain time, by paying £100 a year tithe, the right hon. Gentleman would cease to pay that tithe, while he himself would have to go on paying £100 a year to a lay impropriator. When they came to deal with Church property as they did under the present Bill they were sowing broadcast over the country notions which never would have arisen had they not touched it. The right hon. Gentleman shook his head, but this was just one of those things which were great grievances, and for which they were bound to propose a remedy.

Mr. AGAR-ELLIS said, there appeared to be an idea that this Bill did a great deal for the landlords, but he did not think so. Hon. Gentlemen ought to remember that, at the present moment, the landlords paid the rent-charge, and that they were the most aggrieved, as it was they who would have to make up the deficiency between what would be necessary for the support of the Church and the Church property. Let the blow fall as lightly as possible on those who suffered most. When they promoted a revolution — for this was one—when they carried through Parliament such a great measure, they ought to do away with every mark of that which they should have destroyed. They ought to do away with the expression "tithe rent-charge," and, if only for that reason, he would ask his right hon. Friend to let them have the tithe rent-charge at a cheaper rate.

Mr. M'MAHON said, that the district of New Ross, which he represented, would derive no benefit from the Bill. He thought the Government ought not to propose to abolish the tithe rent-charge at the end of fifty-two years, until they were in a position to abolish the impropriate tithes. If Government were going to buy the impropriate tithes they would be valued at thirty years' purchase at least, and therefore when the landlords were allowed to buy up the tithes at twenty-two years' purchase, they were getting a good bargain.

Sir JOHN ESMONDE said, he hoped the hon. Member for Kerry (Mr. H. A. Herbert) would not call upon the Committee to divide upon the question. The Bill should be regarded as a whole. The residue was appropriated by this Bill, and if the residue were lessened the character of the Bill would be changed,

Mr. W. SHAW said, he had heard no reason why these national funds should be apportioned amongst the landlords. The hon. Member (Mr. Agar-Ellis) said the Bill was not intended to create a surplus, but he (Mr. Shaw) maintained that it was not intended to fritter away a surplus, and the Bill in its present shape would tend to limit the fund which might be retained for the relief of local taxation in Ireland. The tithe rent-charge amounted to about £350,000 a year, and the other Church property to a similar sum, making between £600,000 and £700,000, and he maintained that the commutations proposed in the Bill could be carried out by a sale of less than £200,000 a year. But instead of this, they were about to destroy a great national fund, which, if properly husbanded, would go near paying the entire poor rate of Ireland. The advantage the landlord would get by this clause would be a mere bagatelle compared to what he would have got if this fund were preserved. One thing, at least, would be admitted, that the Church funds were spent in the country, and he did not wish to see them frittered away. It was quite easy to see that if they had about £7,000,000 as a capitalized sum, what contention and jobbery it would give rise to. This was essentially a local tax, and he did not wish to see a centralizing process adopted. He hoped the hon. Member for Brighton (Mr. Fawcett) would persevere with his Amendment.

Mr. CONOLLY said, the clause would depreciate the property of the lay impropriators. The impropriator's tithe should be included in the operation as well as other tithe rent-charges; the tithe, in fact, should be dealt with as a whole, if at all.

Amendment, by leave, *withdrawn.*

Mr. FAWCETT moved, in line 13, to leave out from "upon" down to "same lands" in line 24. The principle involved in this Amendment was a very important one. There was no one who was more anxious to support this measure than himself, and he had voted with the Government in every division, he believed; but, in moving this Amendment, he was acting in accordance with the declaration of the First Minister of the Crown on the 2nd of March, that he would welcome all suggestions from either side of the House, provided they were calculated to promote the welfare of the people of Ireland. He regarded this as a "financial puzzle," and he thought financial puzzles should be looked on with suspicion. They might complicate the matter as much as they liked; but they could not get rid of this, that for no valid reason or purpose whatever did they allow the permanent obligation to pay a sum of money to be commuted into the payment of the same amount of money for a period of fifty-two years. The right hon. Gentleman (Mr. Gladstone) said—"You cannot commute it at twenty-two and a-half years' purchase;" and supposing that the landlord had not the power to pay the money, the right hon. Gentleman went on to say—"We will manage the transaction for you, and will accumulate money to pay off the charge." But why should that money be devoted for the benefit of the landlords in Ireland, and for their benefit only? The transaction was simply this—that £2,250 was appointed to be lent to the Irish landlords who had rent-charges of £100 a year; the right hon. Gentleman said he would put down £78 15*s.* as interest on the money lent, or £2,250, so that the landlord should have £21 5*s.* each year; in fifty-two years this would reach £2,250, and this was to be given as a present on condition that the landlord applied it in commuting the tithe rent-charge. This tithe rent-charge was £365,000 a year. If this clause were passed, at the end of fifty-two years Parliament promised to make a present to the landlords of Ireland of £8,500,000, provided they would commute the tithe rent-charge. He did not think that either justice or policy demanded this arrangement. He was astonished when he heard the proposition made; he had consulted distinguished Members of the House about it, and they said—"We know it is making an enormous present to the Irish landlord, but we must do something to 'grease the wheels' to conciliate hostility, to buy off opposition." That was a principle which he was not prepared to sanction, because it was based on that most dangerous, most insidious, and most pernicious doctrine of statecraft that the ends justify the means. If they once introduced this doctrine, how were they to get rid of electoral corruption? They were not generous to their opponents if they thought their opposition was to be conciliated in this way. He believed that their opponents were as sincere as themselves, and acted upon principle, and that they would oppose it until they saw the nation had decided against them, and that resistance was of no use. No one could tell what effect the passing of this Bill would have upon the Established Church in this country. Some people thought that the passing of this measure would strengthen the Church of England; other people thought that this would form a precedent which would, sooner or later, be followed in this country. He would not express an opinion upon the subject, but no one could deny that the contingency might happen that the Church of England might be disestablished and disendowed; and, if so, this Bill would become a precedent. In such case he, for one, was not prepared to say that, if the English Church ever was to be disestablished and disendowed, at the end of fifty-two years, without paying for it the English landlords should become the owners of the tithe; and that the surplus, directly or indirectly, should be given to them. Although he did not mean to say that he was a strong Churchman, he would not seek to hasten the disestablishment or disendowment of the English Church by a single year by offering to a body of gentlemen who were naturally and historically the defenders of the Church a pecuniary inducement to give up their opposition. Not only did this proposal give an enormous boon to the Irish landlords, but four-fifths of the surplus revenues were going to be given towards the reduction of the county cess, and if there was any truth in economic science, sooner or later, this must benefit greatly the landlords. He felt that, in asking the House to reject this portion of the clause, he was not interfering one tittle with the general principle of the Bill. He thought the principle of the Bill had been secured, and he thought that, following the advice of the First Minister of the Crown, they ought to endeavour to unite in devoting the funds of the Irish nation to those purposes which would be best for the people of Ireland. Every Member of the House must consider himself a Minister; and he did not think this trust could be discharged if they permitted a great amount of national property to be alienated for the purpose of conciliating opposition. He wished to refer to a remarkable letter which had appeared in *The Times* of last Thursday fortnight under the signature of "C," and dated from Lincoln's Inn, in which the writer said—

> "Mr. Gladstone said it was desirable to extinguish the tithe rent-charge. I deny this. As a mere question of economic science, no arrangement is more worthy of preservation than one which gives the capitalist a safe and permanent investment in land, and at the same time does not invest him with any of a landlord's rights over its culture, and does not interfere with the possessor's title; as a fiscal device, no source of revenue can be be better than reserved rents of fixed sums issuing out of land; but whether it is desirable or not to extinguish the tithe rent-charge, it cannot be good to surrender it for nothing, and to the landlords of Ireland of all men in the world. The unquiet ghost of Cobbett ought to disturb Mr. Gladstone's dreams at this suggestion—to give away for nothing the inheritance of the nation."

He cordially endorsed those sentiments; and, in order to carry out his views, he begged to move the Amendment of which he had given notice.

Mr. MORRISON said, this tithe-rent-charge amounted to £365,000 a year, or about half the total revenue which would be gained by the disendowment of the Irish Church, and he was not prepared to assent to the proposed application of this fund. With the exception of supporting asylums and trained nurses, the whole of the surplus was to be given to the Irish landlords, and to the reduction of the county cess. He thought his hon. Friend (Mr. Fawcett) had not put the case quite strongly enough. It was only fair to say that the Irish landlords had never asked for the advantage which was now offered to them, and the responsibility for the proposal must rest with the Government. He had placed on the Paper a Notice to move as an Amendment that the annual charge should be £5 10*s.* instead of £4 10*s.* per cent, and that Amendment, if carried, would provide a *bonâ fide* sinking fund; but, not believing that the Government would accept his Amendment, he should vote for the proposition of the hon. Member for Brighton (Mr. Fawcett). He wished to see the funds applied to unsectarian education, and he asked whether it was necessary for Government to "grease the wheels," seeing the large majorities by which the Bill was supported.

Mr. GOLDNEY said, he thought that the Government were only endeavouring to carry out an economical arrangement, which was likely to be as beneficial to the Commissioners in working the scheme as to the landlords. Unless facilities were given to enable the owners of property to purchase the rent-charge there would be great difficulty in carrying out the arrangement. The fact was that twenty-two and a-half years' purchase was a very large sum to give for a rent-charge. You might buy ground-rents amply secured to pay you 5½ per cent, or at less than eighteen and a-half years purchase. And as the Government in this case were borrowing the money of the Savings Bank at 2½ per cent, why should they not lend it at 3½ per cent. The arrangement proposed could not be called one to "grease the wheels." A public object was to be attained, as in the case of drainage improvements; and as the Government would lose nothing, and would get all their money back, he thought it was quite right, if the payment were fixed at twenty-two and a-half years' purchase, to give the landlords facilities for borrowing the money.

Mr. SYNAN said, the Amendment of the hon. Member for Brighton (Mr. Fawcett) which would make the tithe rent-charge perpetual, was based on the assumption that the State would lose, and the Irish landlords gain, by the arrangement proposed in the clause. That was erroneous, because the State made a good bargain by lending at 3½ per cent, while, on the other hand, if the tithe rent-charges were put into the market they would not at the most fetch more than eighteen years' purchase. The present price was only sixteen years' purchase. The transaction, securing to the State twenty-two and a-half years' purchase, was a perfectly fair one.

Mr. CAWLEY said, it had been fairly put by the right hon. Gentleman at the head of the Government that it was simply an extinction of the payment at the end of fifty-two years of the tithe rent-charge by the annual payment of 25*s.* more for every £100 during that period. It was perfectly clear that that was the meaning of the clause, and it would have been much better if it had been as clearly stated in the Bill. He could not support the clause as it stood, and should vote for the Amendment to expunge this portion of it.

Dr. BALL said, he should support the clause as it stood. The Irish Church Commissioners were unanimously in favour of extinguishing the tithe-rent-charge—first, in order to put an end to the complaint, in any case, that a Roman Catholic proprietor was compelled to support the Church; and, secondly, because, through the operation of the Incumbered Estates Court, much of the land of Ireland had been split up into small properties, and the tithe rent-charge was payable in such small sums in respect of those properties that, in some cases, it was hardly worth while to enforce payment.

Mr. GLADSTONE said, it would not be respectful to his hon. Friends who had proposed and supported this Amendment, were he not to say a few words respecting it. The speech of the hon. Member for Brighton (Mr. Fawcett) was certainly of an heroic character. Indeed, it was difficult to speak in plain prose after declamation which rose to so lofty a height. The hon. Member had mysterious communications with Gentlemen in the lobby, who vindicated the clause, not on any principle that could be stated in public, but because they believed that the Government had found it necessary to supply directly an illegitimate and interested motive to the Irish landlords in order to buy off their opposition to the Bill—a policy founded on the pernicious doctrine that the end justified the means. Now, it was kind of the hon. Gentleman, while attacking the clause, to put into the mouths of the Government a defence of it, but he (Mr. Gladstone) declined to accept it. He cared nothing about the "end justifying the means." He said, let the arrangement stand upon its own merits. To that arrangement there were three parties—The Exchequer, the Church fund, and the landlord. The Exchequer had to lend money at 3½ per cent. In ordinary times that was not a bad transaction for the Exchequer. As regarded the Church fund, a property usually sold at seventeen and a fraction years' purchase was to fetch twenty-two and a-half. That was not a bad transaction for the Church fund. As regarded the landlord, instead of a perpetual annuity, he was to pay the tithe rent-charge for fifty-two years. That was not a bad transaction for the landlord; and, at the same time, a great object of public policy was attained—namely, the extinction of the rent-charge. The proposal of the Government, therefore, required no veil or cover. It could not be too clearly understood to be what it was—and it was such as he had described it in relation to these three parties. But the Committee must bear in mind the effect of the Amendment. If they were throwing away the tithe rent-charge, that was done already. He could understand the hon. Member for Brighton proposing to omit the clause, but that Amendment he had withdrawn. [Mr. Fawcett: No.] He understood the hon. Gentleman to say so; but that was immaterial to his argument. The Committee had already provided for the sale of the tithe rent-charge at twenty-two and a-half years' purchase; if, therefore, that price was too low a one, it had been resolved on, and resolved on unanimously. Having thus laid down the vicious principle, they were now asked to cut out that portion of the clause which did no harm to anybody. After having adopted the principle that it was desirable to extinguish the tithe rent-charge and cause it to merge, and after having fixed on the rate of purchase, the Committee were now asked to refuse the Exchequer the means by which the purchase of this charge could alone be made uniform and effectual. If the Amendment were carried, the Committee would be bound to the principle of twenty-two and a-half years' purchase, but nobody would be able to buy who had not a command of money; the consequence of which would be that the whole country would be spotted and dotted over—one parish with the tithe rent-charge redeemed, another parish with the charge unredeemed; yea, one field with the charge extinguished, and the next field with the charge still existing; whereas, if the Committee adopted the provisions in the clause, it was quite plain that they would be generally acted upon, and an object of State policy would be attained in the extinction of the tithe rent-charge. He hoped, therefore, the Committee would not agree to the Amendment.

Amendment *negatived.*

On Motion of Mr. GLADSTONE, the word "forty-five" was omitted in line 17, and the word "fifty-two" inserted in lieu of it; and in line 18, the words from "equal" to "instalments" in line 20 were ordered to be left out, and were replaced by the following words:—

"Calculated at the rate of four pounds nine shillings per centum on the purchase money, less such sum in the pound as such owner shall be ascertained by the Commissioners to have been on an average of five years preceding the passing of this Act entitled to deduct for poor rates from the tithe rent-charge payable by him."

MR. BRODRICK moved, after "instalments," in line 20, insert—

"Or for such less number of years as may be agreed upon at an equivalent annual sum, so as to discharge the principal and interest in such less number of years."

The object of the Amendment was to enable the landowners to make terms with the Commissioners for the extinction of the charge within a shorter period than that prescribed in the Bill at a higher rate of interest.

Amendment *agreed to.*

On Motion of Mr. DISRAELI, in line 23, after "manner," the words "and be subject to the same deduction in respect of poor rate" were inserted.

On Question, "That the Clause, as amended, stand part of the Bill,"

MR. RAIKES said, he wished to move the addition of certain words to the end of the clause, of which, he regretted to say, he had not been able to give notice in the regular way — although he had communicated the nature of the Amendment to the right hon. Gentleman at the head of the Government as soon as he was able to frame it — enabling any owner of property in Ireland, out of which a rent-charge issued, to decline the bargain which the Commissioners were empowered to offer him, with the view that the proceeds of that rent-charge should henceforward be applied to religious purposes. He might be told that such a proposal would run contrary to certain words in the Preamble of the Bill, and he was willing to admit that such was the case; but there were parts of the Bill itself which must, he thought, be considerably modified if the Preamble and the clauses were to be entirely in accord. His Amendment was not more inconsistent with the Preamble of the Bill than several clauses which had been framed by the Government. It might be objected that his proposal ran counter to the general principle of the measure, but that objection would hardly be a fair one. His proposal accepted disendowment, because it proceeded upon the assumption that the Church property had been already transferred to the Commissioners. It could not, therefore, be fairly said to run counter to the main principle of the Bill, while it afforded the means of enabling some of its most painful consequences to be avoided. It had been repeatedly asserted that "justice to Ireland" demanded the disestablishment of the Irish Church, but surely it did not also demand such an infringement of personal freedom of action as to compel the owners of property to purchase the tithe rent-charge whether they wished to do so or not. He could not see that the House would be doing anything which militated against religious equality if they empowered every landowner to support the creed which he happened to profess. If the words he proposed were added to the clause, it would be open to Roman Catholic as well as Protestant landowners to name the Church to which the rent-charge should be given, and thus to make provision for the spiritual necessities of himself and neighbours. This, he urged, was a totally different thing from what had been termed "levelling up," inasmuch as it was not the State but individuals who would subscribe the money, while it would tend to preserve that local character of endowments on the desirability of which the right hon. Gentleman at the head of the Government insisted so strongly last year. He agreed with hon. Gentlemen opposite that tithe rent-charge was, in a certain sense, national property, but contended that it could not be diverted from its original religious purposes without grievous injury to the nation as well as to the Church. Indeed, this point had been recognized to a certain degree even by Her Majesty's Government. His position was that tithe rent-charge was national property; but, as that property had been consecrated to religious purposes, it could not be justly administered under the provisions of the Bill as they stood at present. If the State resumed the property, on the ground that the Church had been a bad trustee, it was incumbent on the State to apply it in such a manner as to attain the religious object originally aimed at. His proposal was analogous to that adopted in the case of church rates, which, like tithe rent-charge, constituted a charge on the land. The right hon. Gentleman stated, in reference to church rates, that it was a hardship to force people to contribute to a Church to which they did not belong; but, at the same time, he retained the old machinery in order that they might not be prevented from contributing to Church objects of their own free will. The landlords, on whom it was proposed that a slight additional burden should be thrown in the way of yearly charge, and who would have at the same time to provide for a minister in their own locality, might, at all events, be entitled to say that they declined to accept the bargain which the Government offered them, because they preferred that the money should follow its original destination. He was not one of those who had applied harsh words to the right hon. Gentleman at the head of the Government, but had wished to give him credit for acting solely from a sense of public duty in regard to that Bill; but, on the other hand, he thought the right hon. Gentleman should show some consideration for the feelings of those Irish landlords who did not wish to be compelled, against their will, to become accomplices and abettors in the carrying out of a scheme which they sincerely looked upon as sacrilegious. The hon. Gentleman concluded by moving the addition of words at the end of the clause to give effect to his object.

MR. COLLINS said, he hoped his hon. Friend would withdraw his Amendment on the present occasion, and again bring it forward on the Report. The Committee had never seen it in print; and it was too important to be disposed of without due consideration, and also while so many Members had gone to dinner. He must also express a hope that the hon. Member for Brighton (Mr. Fawcett) would insist upon dividing against the clause, which would give the reversion of the tithe rent-charge at the end of fifty years to the landlords for nothing.

MR. GLADSTONE said, that the hon. Gentleman who spoke last appeared to forget that the hon. Member for Chester (Mr. Raikes) had already made his speech, and could hardly be expected to go through the operation of making it again. The Amendment was perfectly intelligible; but it was not one which either now or on the Report could be entertained, because, as its author had intimated, it went to the root and foundation of the Bill. By the Amendment every owner would be empowered, instead of purchasing the rent-charge himself, without the payment of a single farthing of his money, to divert the rent-charge from the public fund and require that it should be applied to the maintenance of religion and not to the maintenance of the religion of the people of the district, but of his own religion. That would, in fact, be a grant to the landlord of the absolute ownership of the rent-charge, subject to one limitation—namely, that it must be devoted to the support of the minister of some religion or other. He could conceive that such a proposal might have recommendations in the eyes of Gentlemen opposite; and even then it would be more in place in a speech against the second or the third reading of the Bill, but it was wholly incompatible with the present measure.

Mr. CONOLLY said, he rose to call attention to the position of the lay impropriator, which he submitted was the same as that of the lay patron. The First Minister of the Crown intended to do away with all tithe rent-charge; but he did not assume the same line with regard to tithe rent-charge belonging to lay proprietors. The result of that would be that the lay proprietor would be left in the lurch. He would have to raise his rent-charge as best he could, when they were encouraging in Ireland a universal feeling against the payment of any tithe rent-charge whatever. The unfortunate man who was the owner of those tithes would thus lose his property, or have it greatly damaged by that legislation. That case ought to be fairly considered with a view to granting compensation, as was done in regard to the other interests affected by the Bill.

Amendment, by leave, *withdrawn*.

Mr. GLADSTONE said, they took property from the lay patron by that Bill, and consequently they were bound to compensate him; but they took nothing whatever from the impropriator. They did not propose to destroy all rent-charge, but only the ecclesiastical tithe rent-charge. If the hon. Gentleman (Mr, Conolly) wished all the tithe rent-charge to be merged over the whole of Ireland, that would be a matter very difficult to arrange. It was easy to make such an arrangement with reference to ecclesiastical tithe, because the State would become the owner of that, and could lay down to other parties proposing to purchase it the terms on which it was ready to deal with them; but, with regard to the lay impropriators, the State would have no *locus standi* for dealing with them. Besides, to introduce a fixed provision relating to impropriate tithes, would be to go beyond the scope and purpose of the Bill. If, however, the hon. Member thought he could draw up a provision which would effect his object the Government would be happy to give it their best consideration.

Mr. CONOLLY thanked the right hon. Gentleman for his courtesy. He would, on the bringing up of his Report, propose a clause which he had no doubt would meet with the approbation of the right hon. Gentleman.

Mr. FAWCETT said, that the right hon. Gentleman the First Minister of the Crown had just now characterized his remarks as being "heroic." If in so doing the right hon. Gentleman intended to pay him a compliment, he was obliged to him for the honour he had done him; but if he used that word in another sense, he should feel bound to justify the observations he had made when he stated that the proposal of the right hon. Gentleman appeared to be based upon the principle that the end justifies the means, and that it was simply brought forward in order "to grease the wheels." In making these observations he had merely quoted the words as nearly as possible of many hon. Members who occupied seats on his side of the House, and who from the relations in which they stood to the First Minister of the Crown were more likely to know that right hon. Gentleman's views upon the subject than a private Member was. The right hon. Gentlehad stated that there were three classes of interests which had to be considered in connection with this clause: those which concerned the national Exchequer, those of the Irish landlords, and those of the Irish people. The right hon. Gentleman said that the provisions in the clause could not be bad as regarded the national Exchequer, but, with the utmost humility, even in opposition to the right hon. Gentleman, he felt bound to say that it appeared to him that it was not a good thing for the national Exchequer to lend money at 3½ per cent per annum, upon property which, according to the right hon. Gentleman's own statement, was only worth twenty-two and a-half years' purchase. If money were lent at 3½ per cent per annum, it ought to be lent upon property worth thirty years' purchase at least. Then with regard to the Irish landlords the right hon. Gentleman said that, at the end of fifty-two years, they would get possession of the tithe-rent-charge without paying a single farthing for it. But it was for that very reason that he objected to the arrangement. The right hon. Gentleman had urged that he was justified on grounds of policy in making this proposal, in consequence of the tithe rent-charge being so unpopular in Ireland. In the old times, perhaps, there might have been some force in that statement, and it might have been desirable to get rid of the tithe rent-charge; but now that the Irish Church was going to be disendowed and disestablished, there no longer existed a reason for the abolition of that charge. The Irish people had objected to the charge formerly, not because it was derived from land, but because its proceeds were given to a Church with which they had no sympathy; but now that the proceeds of the charge would be applied, not for the support of a particular form of religion, but for what had been described by the right hon. Gentleman himself as works of charity and mercy, and for the relief of the poor, the charge would no longer be unpopular among the population of Ireland. The right hon. Gentleman stated that when fifty-two years had elapsed the landowner would come into possession of the tithe rent-charge without paying anything for it; but what would the Irish people say when the event occurred? They would would say that the Parliament of 1869 had taken away from posterity the sum of £360,000 per annum, and that they had no right to do so upon any principle of justice. He did not mean to say that the scheme of appropriation devised by the right hon. Gentleman was the best that could have been proposed, but it might be described as a proposal to devote this great national property in such a way as to effect a great diminution of national suffering. Therefore, according to the right hon. Gentleman's own statement, this property belonged to the nation; if it did not, the House had no right to deal with it. If it did belong to the nation, why should Parliament barter it away for nothing? The Irish people and the Irish landlords did not wish that they should do so. It had been remarked that by a kind of financial *hocus pocus*—he had not used that language himself—the tithe rent-charge was to be put into the pockets of the Irish landlords without their giving any equivalent for it, and he thought such a course should not be adopted. The right hon. Gentleman had alleged that, if the changes he had proposed in the clause were to be effected, Ireland would be dotted over with proprietors paying tithe rent-charge while others did not pay it. But if that was a good objection, he should wish most particularly to urge it. The right hon. Gentleman did not in this clause attempt to touch the tithes paid to lay impropriators. Supposing that one man had to pay £500 per annum to the Commissioners, and that another had to pay a similar sum to a lay impropriator, then, under the clause, the former would find at the end of fifty-two years that his property was free from the charge, while the latter would have to go on paying it for ever. He could imagine no principle for this distinction between the two cases. He warned those who held tithe rent-charges, both in this country and in Ireland, that if they sanctioned the principle of this clause they would immediately strike a severe blow at the security of this class of property, because it would give rise to an agitation on the whole subject which it might be difficult to resist. If, however, this large sum of money were administered wisely, and in a manner calculated to promote the welfare of the people of Ireland, no change would be less burdensome to the country; and, for his part, he declined to be a party to throwing away the inheritance of posterity without securing some equivalent compensation for it. He had another observation to make upon the subject of this clause. Since he had brought this question forward many hon. Members—at least a dozen—had told him that they agreed with every word he said upon the subject, but that, whatever views they might individually entertain, they could not vote against the right hon. Gentleman. They had said to him —"We believe your reasons are sound; we think your objections have not been answered; we think it wrong to give up this amount of national property, but we must support the right hon. Gentleman." Under these circumstances, he must make an appeal to the right hon. Gentleman himself. No one in the House loved more sincerely than the right hon. Gentleman political justice and political sincerity. If there was anything in his proposal which in the least degree interfered with the principle of the Bill, nothing should have induced him to have brought it forward; but by adopting it the principle of the Bill would really remain unaffected and untouched in any way. This being the case he appealed to the right hon. Gentleman to release hon. Gentlemen who believed they were bound to him hand and foot, and to say to them—"I, as a lover of political justice, do not wish that you should vote for any clause which you think obnoxious or objectionable as long as the principle of the Bill is maintained; but I wish, in accordance with what I said in my opening speech upon this great measure, that you should, where it can be done without interfering with the principle of disestablishment and disendowment, omit or amend any clause you think requires to be so dealt with, and thus modify the Bill in such a manner as to cause the funds of the Irish Church to be applied in the way most calculated to promote the welfare of the Irish people."

Lord JOHN MANNERS said, that without anticipating for a moment what might be the reply of the right hon. Gentleman to the appeal of the hon. Member for Brighton (Mr. Fawcett), he thought that the Committee might congratulate themselves that, in the course of the discussion, some light had been thrown upon two points. In the first place, they had heard what confusion and chaos were likely to arise with regard to *quasi*-ecclesiastical affairs in Ireland in consequence of the operations of this Bill; and, in the second place, they had heard from the hon. Member who had just sat down that many hon. Members sitting near him, although they had no sympathy with this portion of the Bill, nevertheless would feel bound, in the event of the matter coming to a division, to support the right hon. Gentleman at the head of the Government. Thus, their desire to support truth and justice was exceeded by their desire to support the right hon. Gentleman. This was a most important admission from an hon. Member who was a very sincere supporter of this measure. But it was quite possible that the country might be apt to ask if this were true with regard to Clause 32, might it not also be true with regard to many other clauses? Was it not possible that the not inconsiderable majorities which had sanctioned what he and those who sat on that side of the House thought to be opposed to all right, equity, and reason, had been, owing to precisely similar causes, and that hon. Members had voted in favour of certain clauses not because they believed them to be right and just, but because they believed that they were bound to support the right hon. Gentleman. He felt in considerable difficulty with regard to the Amendments moved by the hon. Member for Brighton. He understood the object of the hon. Member for Brighton to be to perpetuate the tithes, though he would alter their destination. If he voted with the right hon. Gentleman at the head of the Government, he would be voting for the termination of tithes. He (Lord John Manners) wished to perpetuate them as ecclesiastical tithes, and not believing in the permanence of this revolutionary measure, he would vote with the hon. Member for Brighton.

Mr. GLADSTONE said, that, to his amusement, the noble Lord (Lord John Manners) commiserated the condition of hon. Gentlemen on the Ministerial side of the House who were coerced to give up their own private judgments in order that they might support the measure now under discussion. He supposed the noble Lord had never heard of any such operation at all in the political connection to which he belonged. It was marvellous and delightful that, after more than a quarter-of-a-century in that House, the noble Lord should still remain in a state of such infantine simplicity. Those who belonged to the Liberal party had always been particularly jealous in asserting their individual liberty. That had always been a characteristic of the Liberal party, and he did not hesitate to say that he hoped it always would be. In reference to this Bill, his hope and expectation was that their independent votes would be given in consequence of their independent judgment. If any hon. Gentleman were willing to merge their own individual opinions on secondary points, he trusted it would be, for the sake of those that were primary, and to ensure the success of a great measure, not in any spirit of subservience to the Government. As to the remarks of his hon. Friend the Member for Brighton, he must still recommend this clause to the Committee as a fair adjustment of the several considerations which bore upon this matter. There was not a clause of this Bill which would stand, if he might say so, a microscopic investigation. The Bill, as a whole, had been framed with the object of obtaining the medium between conflicting views and interests; and that, in his opinion, formed the only wise and safe rule for constructing such a legislative measure as this. He took his stand on grounds of general equity, and on these grounds he asked the Committee to adopt the clause.

Mr. GOLDNEY said, the question was one of figures, and had nothing to do with political justice or equity. The Government were not giving away any of the inheritance of posterity in what they had proposed. Anyone who looked at the figures would see that in fifty-two years, at 3½ per cent, the Government would get back its capital.

Mr. HIBBERT said, he thought there was a great fallacy in the argument of the hon. Member for Brighton (Mr. Fawcett); for, while the owner would get the rent-charge back, he did not think the Government or the Irish people would lose anything by the process.

Colonel FRENCH said, he thought that the Bill dealt fairly with the three parties interested, and he thanked the right hon. Gentleman for the course he had taken on the question.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided :* — Ayes 181; Noes 33: Majority 148.

Clause *ordered* to stand part of the Bill.

Clause 33 (Power of commissioners to sell their property).

Mr. SYNAN said, that with a view to removing all ambiguity from the clause, he would beg to move in page 16, line 12, after "lease," to insert "or tenancy."

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan) said, that was provided for by the interpretation clause, and he could see no necessity for the Amendment. Though he should not oppose the insertion of the words, he hoped the hon. Member would not press his Amendment.

Amendment *agreed to.*

Mr. SYNAN, in rising to move in page 16, line 22, after "seventy-one" to insert—

> "Provided, That such owner or lessee, as the case may be, shall, when and if so required by his under-lessee, sell to such under-lessee the rents received by him from such under-lessee, upon the same terms and conditions, and at the same rate of purchase, 'mutatis mutandis,' as he may have purchased the rents so payable by him as aforesaid,"

said, power was given to the lessee to pay one-quarter of the purchase money and 3½ per cent upon the remaining three-fourths, and, upon the same principle that these terms were given to the lessee, they ought to be given to the intermediate lessee, down to the very occupier of the land. At one time the First Minister of the Crown seemed to be more in favour of the occupying tenants than of the middle men; and, if this Amendment were adopted, the occupying tenant would have the opportunity of doing that which was in accordance with the principle the Government sought to apply to Ireland—the principle of making as many proprietors as possible and giving persons a substantial interest in the country. He, therefore, begged to move the Amendment.

Colonel FRENCH said, it appeared to him that the hon. Member for Limerick (Mr. Synan) had made a great mistake in proposing this Amendment. The object might be a good one, but it was not fair that the Government should be called upon to sacrifice probably £1,000,000 in order to bring it about. That appeared to him to be the effect of this Amendment. He hoped the Attorney General for Ireland would enter somewhat fully into this question, in order to show the Committee in what position they stood with respect to this Amendment.

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan) said, he could not agree to the Amendment, which, he felt sure, went much further than the hon. Member supposed. It would destroy the rights of every person who held property under a see. Nothing could be fairer than that the purchase of the rental under leases held from the Bishop should be offered to the man who paid the rent; but, by the Amendment, it was proposed that every tenant in a see should have power to compel his landlord to sell him his rent. This was not a Bill to adjust the rights of landlords and tenants, and he could not conceive anthing more extraordinary than the proposal or more tremendous in its results. The Amendment struck at the root of all property, and he hoped it would be withdrawn.

Mr. DOWNING said, the tenant's right of renewal remained under the clause, the operation of which was to substitute the first lessee in the place of the Ecclesiastical Commissioners. The

Amendment could never be carried into operation, and, therefore, he trusted that his hon. Friend would withdraw it.

MR. SYNAN said, he had heard no argument against the principle of his Amendment. The Government were proposing to deal with some of these rights, and his Amendment was based upon the principle adopted by the Government of treating all persons affected by the Bill equally; but he admitted that there might be some inconvenience in carrying the principle out down to the man in occupation. His object in proposing the Amendment had been more to ascertain the opinion of the Government than to force a division, and knowing that it would be absurd to press it against the views of the Government he would withdraw it.

Amendment, by leave, *withdrawn.*

MR. SERJEANT DOWSE said, he had to propose rather a long Amendment—namely, in page 16, line 34, at end to insert—

"Provided always, That, where land shall be held immediately from or under the Commissioners, by virtue of any lease which the Ecclesiastical Commissioners of Ireland were required to renew under the Act of the twenty-third and twenty-fourth years of the Queen, chapter one hundred and fifty, or which has hitherto been usually renewed from time to time by the Archbishop, Bishop, or other ecclesiastical corporation under whom the same was previously held, then, until the tenant of such land shall have purchased the fee-simple and inheritance of the said land under the hereinbefore mentioned Act of the third and fourth years of William the Fourth, chapter thirty-seven, and Acts amending same as hereinbefore is provided, or until such sale of the fee-simple of the said land as is hereinbefore authorized to be made by the said Commissioners shall have been made, it shall be lawful for the said Commissioners, and they are hereby required, from time to time to renew the lease under which such immediate tenant holds the said land, at the same periods, subject to the same annual rent, and upon the same terms and conditions, as are provided by the Act of the twenty-third and twenty-fourth years of the Queen, chapter one hundred and fifty, to the intent that every such tenant may, when any such sale as aforesaid shall be agreed on, be entitled to the said land for an unexpired term of not less than twenty years: And also provided, That, if the Commissioners (on the refusal of the tenant to purchase) sell to the public or to any person or persons other than the said tenant or lessee, such purchaser shall be bound to renew the said lease in the same manner, and on the same terms, as the Ecclesiastical Commissioners for Ireland are bound to renew the leases of lands vested in them, and shall hold the said lands, when purchased from the Commissioners under this Act, subject to all the rights of renewal and all the provisions of the Act of the third and fourth years of William the Fourth, chapter thirty-seven, and the Acts amending the same, so far as the said provisions are applicable to renewals."

The Amendment dealt with the vexed question of Bishops' lands. He would not inquire how the lessees or tenants obtained possession of those lands, for his Amendment depended upon their having possession. He would deal with them as they stood before the passing of the Church Temporalities Act. The Commissioners reported that these lands were rented at £204,000, of which £142,000 belonged to the Bishops, and £62,000 to the clergy. Some 150 years ago, the Bishops of Ireland were in the habit of letting their lands on lease—in towns for forty years, and in the country for twenty-one years. Those powers were conferred by the 1st *Charles* I. c. 3, and other Acts. The Church Temporalities Act stated in the Preamble that it was expedient that the tenants of Bishops' lands should be empowered to purchase the fee of those lands; and for ten years after the passing of that Act the Ecclesiastical Commissioners dealt very liberally with the tenants and lessees, and a great many conversions took place under the statute. Afterwards, they dealt on less liberal terms with the tenants, and the consequence was that conversions decreased and ultimately ceased. The Church Temporalities Act suppressed several sees, and the lands attached to them were vested in the Ecclesiastical Commissioners, so that there came to be two distinct classes of Bishops' lands, those belonging to the suppressed and those belonging to the existing sees. The tenants of the Ecclesiastical Commissioners had, by statute, powers to renew their leases, but the ordinary Bishops' tenant could only renew by custom, every year paying a fine. It was a mistake to suppose that the lands were always let at an unreasonably low rate, inasmuch as the rent often represented the actual letting value before the land was reclaimed and improved by the exertions of the lessee, and when the land was changed and improved, the same rent was continued, a fine for renewal being imposed. As regarded these ecclesiastical leases, many complained of the operation of this clause. A deputation on this subject had found their way to that repository of ecclesiastical law on the opposite Bench (Dr. Ball), and poured their grievances into his ear; they had also waited on him and urged him to bring forward the case, in the hope that he might soften the heart of the right hon. Gentleman the First Minister; the result was the Amendment he had placed on the Paper. He did not intend to divide the Committee upon it, if the Government opposed it, because he had confidence in his Chief; but, at all events, he would ascertain what the views of Her Majesty's Government were on the subject. What he complained of was this—Numbers of people thought Clause 31 dealt too stringently with their rights. They were tenants under sees, and had leases renewable by custom *per sæcula sæculorum.* They were not to be allowed to renew again; and the power of purchasing the perpetuity must be exercised within three years. These parties insisted that there was injustice in both restrictions. There was a vast amount of property depending on these leases. It appeared from Table XVI. of the Report of the Church Commission that the amount of rents reserved in perpetuity grants from lands held under Bishops amounted to £36,121 19*s.* 11*d.*; from lands held under dignitaries, £3,296; and from lands held under the Ecclesiastical Commissioners, £32,936 8*s.* 11*d.*—in all, £72,354. These were the annual rents of the "converted" lands—the only "conversion," he believed, which had ever been effected under the Established Church. The lands which had not been "converted" amounted to £66,699. So that about one-half of the Church lands had been "converted." Then let them turn to fines. To show why the Bishops were unwilling to run their lives against the leases, he would trouble the House with a few figures. In Armagh, the annual rent of the Church lands was £2,773, whilst the fines amounted to £6,711; so that the Bishop, if he declined to renew, would lose £4,000 a-year. All these privileges would be taken from the leaseholders by this Bill. What was the effect of this clause? The renewable lease by custom was abolished by the Bill. It also forced every man who held his lands in Ireland under a Bishop to buy the perpetuity within three years; whereas, practically, before the power was illimitable. It might be urged that for the purposes of winding up the Established Church, a stringent clause of this sort was necessary. But the rope in such a winding-up might be so tight as to snap, and, in that case, the whole thing would come down with a run. There was also another large class of leaseholders who held under the lessees of the sees and the Ecclesiastical Commission, those who held under *toties quoties*—leases so called; because, as often as a man who held under the see got his lease renewed, he was bound to renew the lease of the man who held under him. He was not, however, legally bound to renew his own lease, and if that clause passed into law, they would not only destroy his estate, but the estate of the man who held under him. There was only one instance, to his knowledge, of a *toties quoties* leaseholder being disturbed. That was in the see of Kilmore. A person named Jones held a large quantity of land, a portion of which he sublet to a tenant with a *toties quoties* covenant. As this sub-tenant would not contribute his fair share of the renewal fines, that part of the property was, at Jones' request, omitted from the renewed lease, and he was consequently deprived of his sub-lease. Well, the Bishop of Kilmore, who was appointed by Lord Palmerston to be Archbishop of Armagh—and was still the Archbishop, so there could be no difficulty in identifying him—took care to look after this little lease, and six weeks before undergoing the operation which Bottom underwent—that of being translated—made it over at a moiety of the value to his nephews, Mr. George Lestrange and Captain Beresford, who acted as trustees for him. With the £150 a year, of which he thus deprived the incoming Bishop, he walked over to the see of Armagh. That was the only case he knew in which the Bishop ran his life against the lease successfully—or, rather, ran away with the rent. And yet the supporters of the present Bill were called by hon. Gentlemen opposite spoliators of Church property. That was the only instance within his memory in which a Bishop did not renew this sort of lease. It illustrated the position in which sub-lessees stood, and likewise showed with what care Bishops provided for themselves and their offspring. The provisions of his Amendment were, that a tenant, purchasing at the end of the term of three years allowed him in which to purchase, should be put in the same position as though he effected the purchase in the first of those three years; and that when he did not purchase, and the land was sold to a stranger, that stranger should buy it subject to the rights of renewal that previously existed. He trusted that the Amendment would be favourably considered. His object in submitting it to the Committee was to remove a misconception which appeared to prevail; but, if it were not acceded to by the Government, he would withdraw it, for he was not there to throw any obstacles in the way of the present measure; and he was certain that, if not by the present, at all events by some future measure, the case of the leaseholders must be favourably dealt with.

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan) said, that the Amendment was of great importance, as the amount of property held under these leases was very considerable, and the interests not only of the tenants, but of the sub-tenants were very large. He was glad to have the opportunity of removing a misconception, under which some of these tenants laboured. They were under the impression that their rights of renewal were interfered with by the Bill. That was not the case. The Bill transferred to the new Commissioners all the property subject to every right of renewal existing at the present moment. Before the Church Temporalities Act passed, the state of things as regarded ecclesiastical leases was most unsatisfactory, because, although the Bishop and his predecessors might have renewed from time to time, no right of renewal was vested in the tenant, and the Bishop's successor might at any time cut off the renewal. When the landed property of the suppressed bishoprics became vested in the Ecclesiastical Commissioners under the Church Temporalities Act, it was provided that tenants holding under the see whose leases had been customarily renewable might not renew, but buy the perpetuity upon certain terms indicated in the Act. That was an enormous boon, but of late advantage had not been taken of it to the same extent as at first was the case, and it was asserted that the Ecclesiastical Commissioners, availing themselves of certain powers granted to them, exacted too much for the perpetuity. They had certainly adopted a plan which caused much dissatisfaction by refusing to state the basis on which their valuation rested. In his opinion the Ecclesiastical Commissioners, in fulfilling a public trust, should act openly in this matter, and state fully the grounds on which they acted. If they did so, he believed that the process of conversion would be much more rapid than it had been. However, what they did was simply to tell the tenants—"You must pay so much for your interest," and that mode of dealing with the tenants had caused considerable dissatisfaction. He admitted that the terms respecting conversion would require re-consideration, and his right hon. Friend the Member for the University of Dublin (Dr. Ball) had pointed out with the greatest fairness and judgment why the rules should be remodelled; but that change was not to be effected by the Bill before the House. By the operation of this 33rd clause, and the 11th clause, with words that would be introduced, every tenant, whose right to renewal or to purchase a perpetuity existed on the day the Act passed, would have that same right preserved to him. So far as the perpetuities were concerned, this Bill would come into operation in 1871; and wherever there existed now a right of conversion into a perpetuity against the Ecclesiastical Commissioners, the Government would make it clear that the same right should continue under the Bill. It was considered of importance to fix a time within which these tenants must convert, and accordingly three years from 1871 had been fixed as a reasonable time within which conversion was to be effected. The main point, however, was the terms of conversion; and, if these were made more reasonable, he did not think there was one of these leases which would not be soon converted. Every man with a *toties quoties* clause had a right to turn it into a perpetuity, and all they had to do was to adjust the terms of doing so; but this question as to the terms of conversion was one to be dealt with by separate legislation. A great anomaly was that all the lessees under the suppressed sees should have a perpetual right of renewal, while no such advantage was possessed by other tenants of see lands, and it would be well, he thought, to embody in the Bill, to adjust the terms of perpetuity, a provision under which one uniform and simple plan would be adopted, and both classes of tenants should be put upon an equal footing.

DR. BALL said, that there were very important interests involved in the relations existing between ecclesiastical landlords and their tenants, and considerable alteration was, in his opinion, required in one portion of the law affecting those interests. The price at present charged for a perpetuity was, he thought, exorbitantly high, and in that view he was supported by several of the Commissioners intimately acquainted with the subject, among others Lord De Vesci, the Earl of Meath, and Mr. Shirley. It was, therefore, with much satisfaction he learnt that the Government intended to reduce the price, while he also deemed it desirable that tenure by leasehold should cease, and that it should be turned into a perpetuity. He objected, he might add, to the system of fines and what he should like to see established was a system under which there should be a fixed annual rent payable for the land, and permanency of tenure secured on fair terms. Since the Commissioners' Report was issued, he had learned that the tenement valuation was different in different parts of Ireland, so that the effect of such a basis would be to make the prices too high in the North and too low in the South. In his judgment it would be fair to charge the immediate tenant of a see four years of the occupation value as the price of the perpetuity, and let all persons holding by *toties quoties* leases have the right to purchase their perpetuities at a relative proportion of that price.

MR. MURPHY said, he thought it hardly necessary to observe that the lessees in question should be placed upon the same footing as the tenants who now held under the Ecclesiastical Commissioners; though, instead of complaining of the Bill, those lessees ought, in his opinion, to be grateful to the Government for having introduced a measure that would enable them to acquire the perpetuity of lands which they heretofore held for a terminable period, and by an unsatisfactory tenure. Great uncertainty had prevailed in the dealings as to annual renewal fines; and very few indeed were aware of the large sums which had been not unfrequently paid to ecclesiastical dignitaries over and above those fines. He could not agree, as a rule, that four years' purchase should be taken as the fixed standard of value for the purchase of the perpetuity. However, that was a matter which would, he presumed, be inquired into and settled by the Commissioners to be appointed under the Bill. As an instance of the dealings he referred to, he was personally cognizant of a case, where a lease for twenty-one years—made in the year 1809, at the rent of £30, and annual fine of £70, was not renewed until the year 1825. The annual fine of £70 was not paid for sixteen years—whether by the refusal of the lessee to pay, or of the ecclesiastical landlord to receive, he did not know—but in the year 1825, the lease was renewed on the following terms—namely, the old rent of £30, an annual renewal fine of £400, and a private honorarium of £10,000 paid into the hands of the ecclesiastical landlord. The Poor Law valuation of the lands is £1,600 a year; and the immediate lessee who paid the £10,000 assessed the same upon his under lessees according to their interests; and they also contribute towards the annual fine of £400. It was quite clear that if this sum of £10,000 had been taken out in the shape of additional rent, or annual fine, it would have added, according to the value of money at that day, at least £500 to £600 a year to the revenues of the Church. He believed such instances were not rare; and perhaps such dealings, whether in consideration of private pecuniary payments, such as he had instanced, or of "natural love and affection," might, if it was now thought necessary or useful to inquire into them, be found to explain the huge anomaly exhibited in the Returns to this House in 1835; by which, it appeared that the gross rental value of the Bishops' lands was £507,000 per annum, while the annual rent and renewal fines received by the Bishops was only £128,000—thus showing a profit-rent to the lessees of £379,000 a year, held only for twenty-one years; but which they have now the benefit of converting into a perpetuity, and will be moreover supplied on easy terms with the means of acquiring the fee-simple, discharged of all rent.

MR. DISRAELI said, he wished to call the attention of the Committee to the progress they were now making. The hon. Gentleman the Member for Derry (Mr. Serjeant Dowse) who introduced this Amendment said one disadvantage it possessed was that it was a long one. But, in his opinion, there was another disadvantage in it—it was not a real one. Almost the whole of the evening had been occupied in discussing Amendments on which the hon. Gentlemen who introduced them had never intended to ask the opinion of the Committee. It would be for the Committee to say what would be the consequence of their pursuing such a course. The fate of the Irish Church was a matter of great importance, and no one felt that more keenly than himself; but there was another question of importance which concerned the Committee—namely, the length of the term of relaxation which the House hoped to receive. They had been informed some time ago, and had acted on the sweet delusion, that Her Majesty's Ministers meant to consider the subject in "a gracious and generous" spirit. He regretted, however, to say that to-night their sanguine expectations had been somewhat disappointed. Nevertheless, there was a hope that, if they applied themselves diligently to the business before them, the expectations they had formed might still be fulfilled. It appeared to him that there was only one apparent way by which sufficient progress could be made in the discussions of the Committee, and it certainly was not by bringing forward Amendments on which even their proposers did not intend to ask the opinion of the Committee. To such a course he highly objected. What, for instance, had the hon. Member for Derry done to-night? The hon. Gentleman told the Committee with a frankness not only astonishing, but almost appalling, that he had had communications with some of his constituents or clients, that he had heard their case, that he had told them it was a very bad case, but that he would, nevertheless, bring it forward and extract a declaration on the subject from the Irish Attorney General or perhaps from the First Minister himself—a declaration, which, if not in favour of his constituents, would at least be flattering to their feelings. There was something captivating in the jovial profligacy of the hon. Gentleman; but, considering the present state of Public Business he did not think the hon. Gentleman perfectly justified in trying these experiments on the patience of the Committee in order to gratify the vanity of his constituents and clients. The hon. Gentleman had taken this opportunity of sneering at the Report of the Commissioners on the Irish Church, but he could not at all agree with him on that head. He had read the Report with great attention, and believed it to be one of the most valuable contributions ever made to our Parliamentary literature. Far from thinking that it would be superseded, if this unfortunate Bill should pass, he imagined it was clear from the admission of the Attorney General for Ireland and of the Government that we must have subsequent legislation on this subject and other subjects which grew out of it, and we must refer to that important document for authority and information. He wished particularly to impress on the Committee, that if they desired to make real progress in business they ought not to encourage these amateur Amendments, which merely gave an opportunity to the hon. Gentlemen who proposed them to make speeches, which, on nights when no important business, was before the House, might be extremely diverting, but which, when serious matters were under discussion, appeared to him to be wholly misplaced.

Mr. GLADSTONE said, he must tender his sincere acknowledgments to the right hon. Gentleman for the assistance he had given him in regard to making progress with the Bill, because on subjects of this kind there generally arose, almost unconsciously, a disposition to enter into extraneous discussions which would simply result in loss of time. Still, he did not think his hon. Friend the Member for Derry was open to criticism on account of the course he had adopted, because, although he might not have intended to divide the Committee, his object was to bring to light a very important matter with which in his judgment the Bill did not deal completely. Indeed, his right hon. and learned Friend the Attorney General for Ireland (Mr. Sullivan) had admitted that the Bill did not deal completely with the subject, and had intimated that, on a suitable occasion, he would meet the demands of the parties interested. He could not say, therefore, that time had been lost, as in the course of the discussion the Committee had had opportunities of hearing the opinions of the greatest authorities on both sides of the question. The time had, however, now arrived when he hoped the clause would be submitted to the judgment of the Committee.

Mr. Serjeant DOWSE said, that his intention in introducing the Amendment was not to take up the time of the Committee, but to get the opinion of the Government upon the matter embraced in it. In spite of what the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) had said, his Amendment was a real one. He had yet to learn that it was an illegitimate course to press for an opinion on a subject deeply interesting, not to his clients or constituents, but to men in Ulster who had requested him to bring it forward. Probably the right hon. Member for Buckinghamshire would have thought the Amendment more real had he done what that right hon. Gentleman had done over and over again—gone into the Lobby with a small following to be hopelessly beaten. Because he did not divide the Committee against the Government, and give an opportunity to people to say that the Liberals were forming fresh "Caves," and that their splendid majority was being broken up, his Amendment was declared to be a sham one, and he was told that he had been wasting the time of the Committee. Gentlemen on the opposite Benches ought not to complain of wasting the public time, for they were themselves as much to blame in this respect as any—["Divide!" *and* "Oh, oh!"]. Those who sat on the opposite Benches were very much mistaken if they thought he was to be put down in that way. ["Oh, oh!" *and* "Divide!"] When a statesman of the genius and character of the right hon. Gentleman the Member for Buckinghamshire spoke of him as he had done, he thought it would only be a courteous thing for that right hon. Gentleman's followers to allow him to say a word in his own defence. He was glad to see that he had placed hon. Gentlemen opposite in such a position that they dared not hear him. Gentlemen of property in Ireland, who were as warmly attached to the interests of the Established Church as the right hon. Gentleman the Member for Buckinghamshire, had asked him to bring that matter before the House in order to ascertain the opinion of the Government, and also the opinion of the brains-carrier of the Opposition, the right hon. Gentleman the Member for Dublin University (Dr. Ball).

Mr. DISRAELI said, he regretted that the hon. and learned Gentleman (Mr. Dowse) should have so much misunderstood the not unfriendly remarks he had made. The hon. Member having had little experience of the House, he (Mr. Disraeli) thought it might not be unwise to remind him, that when they wished to get on with the Public Business, it was not the best way to expedite it to propose Amendments which were not meant to be pressed. But he hoped the hon. and learned Gentleman would profit by the experience of that night, and not persist—to use his own classic phrase—*in sæcula sæculorum*, otherwise he feared he would find the reception he had met with in that respect to be *toties quoties*.

Clauses 33 and 34 *agreed to.*

Clause 35 *postponed.*

Clause 36 (Compensation to nonconforming ministers).

Mr. GLADSTONE moved, in page 17, line 21, after "Ireland," to insert "or which he would have been entitled to receive if such grant had not been discontinued."

Amendment *agreed to.*

Mr. KIRK moved, in page 17, line 22, to leave out from "lives" to "of" in line 24 and to insert "and is continued in the ministry by and with the consent of the governing body."

Amendment *agreed to.*

Mr. GLADSTONE said, he would propose to omit the second paragraph of the clause, the object of which was now attained by the first paragraph with the words inserted by his Amendment. And he proposed to insert a new paragraph, in order to include within the scope of the clause certain congregations who were going through what he might call a kind of apprenticeship under the rules of the Treasury, which required that a congregation should have been in existence under certain conditions for three years before it was entitled to receive the grant. In such cases, although the grant had not been actually received, yet the title to it had been created, and therefore it was necessary that words should be inserted rendering those congregations capable of procuring compensation for their ministers. He, therefore, in the first place, begged to move to leave out lines 26, 27, 28, and 29.

Motion *agreed to.*

Mr. GLADSTONE said, he would move, after what was now the third paragraph of the clause, the insertion, for the purpose that he had described, of the Amendment of which he had given notice, namely—

"Line 35, after 'substituted,' insert 'the Commissioners shall also ascertain and declare by order what Protestant Nonconforming congregations were on the first day of March one thousand eight hundred and sixty-nine, fulfilling the conditions necessary for eventually obtaining out of the *Regium Donum* the payment of yearly sums for their respective ministers, and what would have been in each case the amount of such yearly payment, and the time at which the same would have begun to be payable, and shall as from that time pay to the minister of each such congregation a life annuity, subject to the same conditions as aforesaid, equal to the amount of the yearly payment which he would have become entitled to receive on the fulfilment of the necessary conditions, if the grant of the *Regium Donum* had not been discontinued: Provided always, That no minister placed in a congregation, or becoming assistant successor for the first time after the passing of this Act, shall be entitled to any annual sum by way of compensation.'"

Mr. KIRK suggested, that the "31st" of March should be substituted for the "1st" of March in the right hon. Gentleman's proposal.

Mr. GLADSTONE said, that the date of March 1 was conformable to a general rule. It was the day of the introduction of the Bill, and any proceeding antecedent to March 1 could not have been prompted by anything in the Bill. He must, therefore, adhere to the date.

Amendment *agreed to.*

On Question, "That the Clause, as amended, stand part of the Bill."

Mr. PEEL DAWSON said, he believed that every clause in the Bill was fraught with mischief; but the present clause contained a double injustice. In the first place, it sanctioned the alienation of Church revenues for purposes distinct from Church objects, a principle against which he should not cease to protest. In the next place, he maintained that the compensation offered by the clause was of so scanty and niggard a character that it was unworthy of adoption by the Committee, and would not prove acceptable or satisfactory to those to whom it was offered. A capitalization of the *Regium Donum* for fourteen years was a very inadequate realization of the just expectations of those Presbyterian Protestants whose ancestors in the beginning of the 17th century emigrated from Scotland to Ireland for the furtherance of British purposes, and who by their skill and industry reclaimed the province of Ulster from a state of semi-barbarism. A part of the inducement held out to them was a proportionable share of the tithes, and this share they enjoyed for many years. The *Regium Donum* was afterwards given in exchange for these tithes, and now this clause would for fourteen years' capitalization put an end for ever to all claim and acknowledgment for the services so rendered. Representing a very large Presbyterian element in his own constituency, he should continue to remonstrate against the scantiness of the compensation given to them. This feeling was shared by a very large majority of the Presbyterian people of Ireland. Only last Thursday a meeting was held in Belfast, at which 10,000 Presbyterians recorded their deliberate disapproval of the whole Bill in its entirety, but especially the injustice which would be perpetrated and perpetuated under this clause. In the last Parliamentary contest at Dublin, Belfast, Newry, Derry, Carrickfergus, and Antrim, the Presbyterians who supported this measure were only one to three as compared with those who opposed it. Acting in the interests of that Church, for which he entertained great respect and sympathy, he should have preferred to see their compensation paid out of the Consolidated Fund, and still more the continuation of the endowment perpetuated.

Mr. GLADSTONE said, he was not sorry the hon. Member had called attention to the great services of the Presbyterians, and the very moderate compensation they were to receive. Their conduct in reference to this matter had reflected great credit upon them; but he had not derived the same impression from it which the hon. Gentleman had conveyed to the House. As a body they had carefully abstained from opposing the Bill. Portions of them objected, but other portions were very warm in their support of the measure, and he held in his hand a Report of the Belfast Presbyterian Association—[Mr. Peel Dawson: The Liberal Association.]—No, the Belfast Presbyterian Association. They suggested several Amendments, after which they said—"We ardently desire to see this grand measure made as perfect as human wisdom and forethought can make it." The Government were obliged to proceed in this Bill on certain rules, and he did not see how they could have made the compensation to the Presbyterians more liberal than it was. It was true that the salary of the Presbyterian ministers was a moderate one; but, still, recognizing life interests as the principle of the Bill, the Government had no power to take any higher standard as the measure of compensation. The Government had not shown an illiberal spirit, because they had taken the assistant pastors, who would have been the successors, to share in the compensation, and they had allowed congregations which had not yet earned their title to *Regium Donum* to qualify their ministers to earn it, provided they had begun to earn it before March 1. The hon. Member demanded a perpetual endowment to be secured to them, but that was opposed to the principle of the Bill.

SIR FREDERICK W. HEYGATE said, that the right hon. Gentleman might have received information as to the feeling of the Presbyterian body in towns being in favour of the Bill, because they looked forward with sanguine expectation to the success of the voluntary system. The Presbyterians of the thinly inhabited country districts were, however, much alarmed, and had a very black future before them. Upon one point they were hardly used by the Bill. They had spent large sums in the erection of glebe houses and Presbyterian meeting houses. He believed that not less than £40,000 was charged on these buildings, for a great deal of which the clergy were responsible. Sums of money were given to other religious denominations, and the Presbyterians had a strong claim to receive some consideration from the Government in regard to this building fund.

MR. W. JOHNSTON said, that the Report quoted by the right hon. Gentleman emanated from the Belfast Liberal Association, which only represented the Liberal portion of the body, and not that large and influential section of the Conservative Presbyterians, who held the largest meeting ever convened in Belfast to protest against the Bill. The Ballymena Association had signed a document opposing the Bill generally; its members objected to the Presbyterians being subjected to the odium which would attach to those who took part of the Church funds, and objected also to the College of Maynooth participating in them.

LORD GEORGE HAMILTON said, that people were apt to suppose that the opinion of the Presbyterians as a body was identical with that of the Government. The hon. and learned Member for Derry (Mr. Serjeant Dowse) the other night assured the House that he represented a majority of the opinions of the Presbyterians on a certain subject; but it happened that a majority of the Presbyterians of his own constituency voted against him. The Rev. Hugh Hanna remarking at a Belfast meeting that the hon. and learned Member for Derry in the House had represented the Presbyterians as being in favour of the Bill, said that he had in his angelic innocence supposed or asserted the Presbyterian Association to be coextensive with the Church, and had thus imposed upon the Committee. Mr. Hanna proceeded to observe that he could confute the hon. and learned Member's statement by sending over the whole of the Ulster Association in half-a-dozen large bandboxes, and then they might be exhibited in the Lobby of the House of Commons, or at the British Museum. He mentioned this for fear the Committee should have accorded to the remarks of the hon. Member for Londonderry a greater weight than was consistent with fact.

MR. SERJEANT DOWSE said, he had been so pointedly alluded to that he thought he should be allowed to say a few words. He wished to make two remarks. The noble Lord (Lord George Hamilton) had done him injustice in supposing him to have said that he represented the majority of the Presbyterians of Derry.

LORD GEORGE HAMILTON said, he understood the hon. and learned Gentleman to say that he represented the opinions of the majority of Presbyterians of Ulster on the subject.

MR. SERJEANT DOWSE denied that he had said he represented a majority of the Presbyterians of Derry.

LORD GEORGE HAMILTON, correcting the hon. and learned Member, re-asserted that he had represented the majority of the Presbyterians as on the side of the Government.

MR. SERJEANT DOWSE said, he believed he had stated that all the Catholics, a large proportion of the Presbyterians, and an intelligent minority of the Episcopalians were in favour of the Bill. He had not said that he was supported by a majority of the Presbyterians of Derry, because he knew that the majority of them did not vote for him. When he said he represented the views of the majority of the Presbyterians, he meant the Presbyterians of Ireland. In his own constituency 288 Presbyterians voted against him, and 177 for him. But no matter who voted for him, there he was. If the House knew as much as he or the hon. Member for Belfast (Mr. W. Johnston) did of the Rev. Hugh Hanna, he thought they would not think it worth while to put either him or his arguments into a bandbox. He had never stated in that House, or elsewhere, that the Belfast Liberal Association represented the Presbyterians of Ulster; on the occasion alluded to he had only referred to the Presbytery of Ballymena.

COLONEL STUART KNOX said, he wished the right hon. Gentleman opposite (the First Lord of the Treasury) to be good enough to tell the Committee why it was against the principle or rules of his Bill to refuse the Presbyterians their just right—the amount of the debt upon their buildings—when such an allowance was made to Maynooth?

MR. O'REILLY DEASE said, he had received communications from influential Presbyterians in the county which he represented (Louth), and they expressed their approval of the Bill.

MR. VANCE said, he must express his astonishment at the statement of the hon. and learned Gentleman (Mr. Serjeant Dowse) that the majority of the Presbyterians in Ireland were in favour of this Bill. He (Mr. Vance) knew the exact reverse to be the truth. In every borough and in every county of Ireland where there had been a contest, the majority of the Presbyterians had shown themselves against the Bill. The only Petition on the subject from Armagh was presented by himself against the Bill. The right hon. Gentleman had inflicted an irreparable wrong on Presbyterians, the ministers of which had a right to their stipends in perpetuity from the Consolidated Fund, and instead of that the Prime Minister gave them merely a life interest. There was a very great spirit of dissatisfaction among the Presbyterians against this Bill on account of the wrong it did to them and to the Established Church. The only institution that was really deriving any benefit from its provisions was the College of Maynooth.

MR. KIRK denied that the Presbyterian ministers had a right in perpetuity to their stipends. He had had frequently to fight their battle in that House when the grant to the Presbyterian ministers was proposed; but he was of opinion that if the proposal for that grant had come before Parliament again it would probably have been refused.

MR. CHICHESTER FORTESCUE said, in reply to the hon. and gallant Gentleman the Member for Dungannon (Colonel Knox), he would recommend the hon. Member to wait until the clause with respect to the buildings of the College of Maynooth was discussed. When the statement as to those buildings was made he thought the hon. Member would be of a very different opinion from that which he now held. It should be remembered that compensations under the Bill could only have relation to former grants or endowments; and if those grants or endowments had not been in existence, compensation could not take place. Now, the difference between Maynooth and the Presbyterians was this — that the building of Maynooth College had been provided for by Parliament through the Commission of Public Works; but Parliament had never undertaken to provide for the churches or manses of the Presbyterians, and, consequently, was under no obligation to give compensation.

SIR HERVEY BRUCE said, he understood the right hon. Gentleman (the Chief Secretary for Ireland) to say that because the Presbyterian body did not come to that House to ask for Parliamentary aid to build their manses or churches, they were not, therefore, entitled to consideration, although the annual sum they received from Parliament was pledged, in a manner, for the interest of the money they required for that purpose. On the other hand, because the College of Maynooth had come to Parliament for funds, it was entitled, according to the right hon. Gentleman's notion of justice and fair play, to much more favourable treatment than the receivers of the *Regium Donum.*

Clause, as amended, *agreed to.*

Clause 37 (Compensation in respect of salaries of professors and college buildings at Belfast).

Mr. GLADSTONE said, that all those, including himself, who had Amendments on the Paper with reference to this clause, were of opinion—although, doubtless, for different reasons—that the mode of dealing with the Belfast Professors proposed in the clause should be altered. The Government proposed to alter the mode of dealing with those Professors at their own request. He therefore proposed to omit the clause, with the view of dealing with the Professors in another part of the Bill, and would say "No" to the clause.

Mr. SINCLAIR AYTOUN said, he objected to the clause being negatived, because he saw that, by an Amendment in Clause 39, the right hon. Gentleman proposed to give a capital sum to the Professors of Belfast, instead of giving them an annuity. Therefore, if they negatived this clause, which provided for an annual payment, they would be sanctioning the principle of the payment of a capital sum. If such a proposal were to be agreed to, it would be impossible to prevent the Professors of Maynooth being dealt with in a similar manner, and to that he should have the greatest objection. He had given notice of an Amendment to Clause 39, the object of which was that the Professors of Maynooth, instead of a capital sum being paid on their account, should be compensated by annual payments. He could not see why the Professors of these Colleges should be placed on a different footing from that occupied by the clergy of the Disestablished Church and of the Presbyterian Church, who were to be paid by annuities, and not by a capital sum. If the right hon. Gentleman persisted in his proposal to withdraw the clause he should divide the House against him.

Mr. WHALLEY said, that to negative this clause would be to prejudge the questions of which the right hon. Gentleman the First Minister of the Crown had given notice on Clause 39. He thought that the right hon. Gentleman at the head of the Government ought to postpone this clause until the principle upon which Professors were to be compensated had been settled. If a capital sum were to be handed over to Maynooth, it would be applied, not for the purposes intended, the maintenance of the Professors, but to the purposes of the Roman Catholic Church. He appealed not to the House, still less to the country, but to the right hon. Gentleman to redeem his honour as the First Minister of the Crown, after the declaration he had made in that House, and not to hand over the property of the Established Church to the Roman Catholic Church, but to allow the Maynooth Act to be repealed. It was proposed to repeal the restriction upon the corporation of Maynooth, but to leave that part of the Act which constituted the corporation in full force.

Mr. J. LOWTHER said, that the hon. Member for Kirkcaldy (Mr. Sinclair Aytoun) should move some specific Amendment to the clause. He had no intention of affirming the clause, and unless the hon. Member moved something specific, he (Mr. Lowther) should do so.

Mr. CHICHESTER FORTESCUE said, hon. Members were under a mistake if they thought that, by negativing the clause, they would lose the opportunity of objecting to a particular mode of compensation. They would be able to raise the same question on Clause 39.

Mr. J. LOWTHER said, he begged to move the omission of all the words of the clause after the word "when" in line 36.

The CHAIRMAN said, it was incompetent for the hon. Member (Mr. J. Lowther) to make the Motion, for two reasons. First, because he was too late. The question had been put that the clause stand part of the Bill, and, unless the Committee permitted the Motion to be withdrawn, no Amendment could be proposed. And if that difficulty were removed, the Amendment was not such as could be put to the Committee, simply because it left only one word of the clause.

Mr. NEWDEGATE said, the hon. Member for Kirkcaldy (Mr. Sinclair Aytoun) objected to the withdrawal of the clause, because he was anxious that the Committee should negative not so much the terms of the clause, as the principle of payment by a lump sum instead of by annuities. If it was not the intention of the Government to abandon payment by annuities, but to embody it in a new clause, the First Minister of the Crown could very easily relieve the Committee from all difficulty by stating that he adhered to the principle of the clause, which was the payment of those Professors by annuities. That was the principle which pervaded the whole Bill with reference to the clergy of the Established Church. He objected to the payment of a lump sum, and the payment to trustees by retaining certain portions of Acts now in force—not, however, to establish Maynooth as an ecclesiastical establishment, but to establish the Roman Catholic College exactly on the principle which the right hon. Gentleman objected to so strongly when the right hon. Gentleman the Member for Buckinghamshire hinted at the incorporation of a Roman Catholic University. He supported the First Minister of the Crown on that occasion, and the President of the Board of Trade followed him and agreed with him, and aided his (Mr. Newdegate's) poor expressions by his great eloquence—by his condemnation of those who then constituted Her Majesty's Government. The policy so objected to was denounced on every hustings in England. But if the Government adopted the plan of a lump sum they would be adopting, in the most objectionable form, the very principle they had sanctioned him in condemning. The principle of compensation by annuities ought to be applied to the Professors of both Belfast and Maynooth.

Mr. GLADSTONE said, he thought the observations of the hon. Member for North Warwickshire (Mr. Newdegate) were very wide of the mark. There was nothing in the Bill to incorporate any Roman Catholic College or University, or to make Maynooth College an establishment. The Government proposed to omit the clause, not in consequence of Amendments of which his hon. Friend the Member for Peterborough (Mr. Whalley) and other hon. Members had given notice, but because they had received from the Synod of Ulster various requests with respect to Amendments to the Bill, which the Government were desirous should be adopted, if it could be done without any serious departure from the principle of the Bill. One demand was that the Professors of the College of Belfast should be dealt with by a fourteen years' payment all round, instead of by annuities. It was an extremely small matter, and one which there was no reason to suppose would make any material difference one way or the other; and in due time notice would be given of a new clause for that purpose. If they had attempted to give effect to the fourteen years' commutation in this clause, it might have been said that they did so in order to have the case of Maynooth prejudged, and a decision given in favour of the plan by which the Government intended to deal with that institution. Accordingly they proposed to bring forward the fourteen years' arrangement at a later stage, when the Committee would be able to judge of it without prejudice. His hon. Friend the Member for Kirkcaldy (Mr. Sinclair Aytoun) would not be in the slightest way fettered in opposing the fourteen years' payment by consenting to negative this clause.

Clause *negatived.*

Clause 38 *agreed to.*

House *resumed.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

House adjourned at a Quarter after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 4th May, 1869.

MINUTES.]—Public Bills—*First Reading*—Justices of the Peace Qualification* (93).

Select Committee—Fine Arts Consolidation and Amendment (No. 2)* (51), The Duke of Saint Albans, The Viscount Stratford de Redcliffe, and The Lord De L'Isle and Dudley *added.*

Committee—Sea Birds Preservation (54-92).

Committee—*Report*—Civil Service Pensions (53).

Third Reading—Militia (83); Lands Clauses Consolidation Act Amendment (90); Consolidated Fund (£17,100,000), and *passed.*

THE MAYOR OF CORK.—QUESTION.

The Earl of STRADBROKE rose to put a Question to the noble Earl the Secretary for the Colonies, of which he had given him private notice—namely, Whether any, and, if any, what, steps Her Majesty's Government intended to take in consequence of the violent and disgusting speech lately made by the Mayor of Cork at a public dinner, at which he presided, given in honour of two convicted Fenians lately released from prison by the clemency of the Crown. It would not be necessary for him to refer to the various passages of that speech, which had excited so strong a feeling in this country and among the loyal inhabitants in Ireland, as they were so well stated last week by a noble Viscount (Viscount Lifford) on the cross-Benches; but he would mention one, where the Mayor greatly eulogized O'Farrell, who had been guilty of shooting at with intent to kill a member of our Royal Family, which sentiment was loudly cheered by the assembled company. Having for more than forty years paid annual visits to the South of Ireland, and being intimately acquainted with the feelings, character, and temper of the middle and lower orders there, he was confident that such language would greatly encourage them, or some one of them, to make a similar attempt against the brother of that Royal Prince, who at the time was travelling through the country. He should indeed regret that the Mayor of Cork should be prosecuted, unless the Law Officers of the Crown felt that a conviction was more than probable; but if this were doubtful, our course was clear: Parliament ought not to separate till a Bill had passed insuring punishment for the future to all men who might be guilty of such treasonable conduct, and to give the Crown power instantly to dismiss any public officer from his appointment.

EARL GRANVILLE said, he had no hesitation in answering the Question, though the noble Earl had not given the usual notice of it, for it was not likely to lead to any argument. It was the intention of the Government—as he believed had already been announced in "another place"—to bring in a Bill dealing with the case of the Mayor of Cork.

THE MARQUESS OF SALISBURY asked whether the Bill would be of general operation, or whether it would be limited to the case of the Mayor of Cork?

EARL GRANVILLE replied that the Bill would be confined to the case of the Mayor of Cork.

SEA BIRDS' PRESERVATION BILL.

(*The Duke of Northumberland.*)

(NO. 54.) COMMITTEE.

House in Committee (according to Order).

Clause 1 (Definition of terms).

Clause amended by the insertion of various local names, and *agreed to.*

Clause 2 (Season during which sea birds shall not be killed).

THE DUKE OF RICHMOND proposed that "shoot or attempt to shoot" be substituted for "kill, wound, or attempt to kill or wound." He thought these words, which would limit the operation of the Bill to prohibiting the shooting of these birds during the close season, leaving persons to kill them in any other manner, would effect the object of the Bill better than those at present in the clause. That object was, he presumed, to check the practice of large numbers of persons going down by excursion trains and shooting these gulls during the breeding season for what they called "sport," but which he could only regard as wanton destruction, for no benefit accrued to anybody from it. This would be sufficiently accomplished if the clause were limited to "shooting;" for, if the inhabitants of the coast were allowed to capture birds by snares and other ingenious but difficult contrivances, there would be no fear of their numbers being sensibly diminished. In the islands off the coast of Ireland and Scotland the inhabitants maintained themselves for a considerable portion of the year on the eggs and food of these birds, and at St. Kilda this had been the case for upwards of 200 years, without having had the effect of diminishing their numbers. The noble Duke (the Duke of Northumberland) proposed, indeed, to exempt that island from the operation of the Bill, but there were other islands off the coast of both Ireland and Scotland to which the reasons for exemption equally applied.

THE ARCHBISHOP OF YORK thought the Bill might as well have been rejected on the second reading, if so serious an alteration were to be made in it. The principle of the Bill was to prevent these birds being killed in any way during the breeding season. He understood that one of the reasons why these birds were destroyed in such large numbers was because their feathers adorned the hats of the fair sex.

THE DUKE OF NORTHUMBERLAND objected to the Amendment. The adult bird was not an article of food except at St. Kilda; and this being far removed from the mainland he was willing to exempt from the operation of the Bill.

THE DUKE OF RICHMOND said, that, with regard to ladies' hats, fashions sometimes changed, and the feathers of these birds would not always be in demand for that purpose. He would not press his Amendment as the feeling of the House appeared to be against it.

Amendment *withdrawn.*

Clause amended by striking out after the words "this section shall not apply where the said sea bird is a young bird, and unable to fly;" the words "and is taken *bonâ fide* for the purpose of food."

Clause, as amended, *agreed to.*

Clause 3 (Home Office on application of justices, may vary such period), *agreed to.*

Clause 4 (Penalty for selling eggs of sea birds).

THE DUKE OF RICHMOND moved that this clause be struck out. It would cause much suspicion and annoyance to hundreds of poor people who took eggs for the purpose of food, and who might be repeatedly brought before a magistrate to state that the eggs in their possession were taken for that purpose. In ninety-nine cases out of every 100 the eggs were so taken, and in the hundredth case a man would naturally assert that he intended to eat the eggs. How was the magistrate to be satisfied of this intention unless the man ate them then and there in his presence? Moreover, the clause would impose a penalty on a person who had received the eggs from a friend, while that friend, though the real offender, would escape. He felt bound to take the sense of the House on this clause.

Moved, "To leave out Clause 4."—(*The Duke of Richmond.*)

LORD HOUGHTON said, that among scientific men were some rejoicing in the peculiar name of "Oologists," to whom the collection and classification of eggs was a subject of great interest.

The Archbishop of York

Under the clause a learned Professor of one of our great Universities might be taken up by a policeman for having a sea bird's egg in his possession for scientific purposes. The number of eggs taken for purposes other than those of food was so small that it was hardly worth while to legislate on this point.

THE BISHOP OF OXFORD pointed out that the clause might operate harshly on the owners of collections of eggs. An ornithologist might have had a valuable egg in his possession for fifty years. Now, it would be very hard to insist on his showing that it was intended for food by eating it.

THE DUKE OF NORTHUMBERLAND defended the clause, which had stood the test of considerable discussion in the House of Commons.

On Question, That the said Clause stand part of the Bill?—Their Lordships *divided:* — Contents 40; Not-Contents 54: Majority 14.

CONTENTS.

York, Archbp.
Northumberland, D. [*Teller.*]
Rutland, D.

Bristol, M.
Normanby, M.

Amherst, E.
Cowper, E.
Granville, E.
Grey, E.
Harrowby, E.
Romney, E.
Stanhope, E. [*Teller.*]
Tankerville, E.

Eversley, V.
Exmouth, V.
Halifax, V.
Powerscourt, V.
Sidmouth, V.

Durham, Bp.
Gloucester and Bristol, Bp.
Oxford, Bp.
St. David's, Bp.

Aveland, L.
Camoys, L.
De L'Isle and Dudley, L.
Egerton, L.
Fitzwalter, L.
Foley, L.
Heytesbury, L.
Kesteven, L.
Lyveden, L.
Meldrum, L. (*M. Huntly.*)
Ormathwaite, L.
Redesdale, L.
Sheffield, L. (*E. Sheffield.*)
Sherborne, L.
Silchester, L. (*E. Longford.*)
Sundridge, L. (*D. Argyll.*)
Wharncliffe, L.
Wrottesley, L.

NOT-CONTENTS.

Cleveland, D.
Grafton, D.
Marlborough, D.
Richmond, D. [*Teller.*]
Saint Albans, D.
Somerset, D.

Abercorn, M. (*D. Abercorn.*)
Ailesbury, M.
Bath, M.
Camden, M.
Lansdowne, M.
Salisbury, M.

Airlie, E.
Annesley, E.
Bathurst, E.
Cadogan, E.
Camperdown, E.
Clarendon, E.
Cottenham, E.

De Grey, E.
Feversham, E.
Fortescue, E.
Graham, E. (*D. Montrose.*)
Kimberley, E.
Lauderdale, E.
Lucan, E.
Minto, E.
Morley, E.
Nelson, E.
Verulam, E.

Hardinge, V.

Bolton, L.
Boyle, L. (*E. Cork and Orrery.*)
Cairns, L.
Castlemaine, L.
Chelmsford, L.
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Clifton, L. (*E. Darnley.*)
Colchester, L.
Delamere, L.
Dunboyne, L.
Foxford, L. (*E. Limerick.*)
Gage, L. (*V. Gage.*)
Houghton, L.
Monson, L.
Mostyn, L.
Northbrook, L.
Ponsonby, L. (*E. Bessborough.*)
Portman, L.
Romilly, L.
Somerhill, L. (*M. Clanricarde.*) [*Teller.*]
Tredegar, L.
Vernon, L.
Westbury, L.

Clause *struck out.*

Clauses 5 to 8 *agreed to.*

THE DUKE OF NORTHUMBERLAND moved a new clause to follow Clause 8. "The operation of this Act shall not extend to the island of St. Kilda."

THE DUKE OF RICHMOND suggested that no sufficient reason had been shown for the special exemption, by this clause, of the island of St. Kilda from the operation of the Bill, as policemen were certainly unknown in that neighbourhood. The Bill would probably not, in any case, make much alteration in the habits of the people; but if there were to be any exceptions, there were probably several other places that had an equal title to be exempted.

THE DUKE OF ARGYLL thought there was a reason for treating St Kilda exceptionally. He doubted whether there was any other case where the people practically lived on sea birds.

Clause *agreed to.*

Remaining other clauses *agreed to.*

The Report of the Amendments to be received on *Monday* next; and Bill to be *printed* as amended. (No. 92.)

CIVIL SERVICE PENSIONS BILL.

(*The Marquess of Salisbury.*)

(NO. 53.) COMMITTEE.

Order of the Day for the House to be put in Committee read.

Moved, "That the House do now resolve itself into a Committee on the said Bill."—(*The Marquess of Salisbury.*)

THE DUKE OF SOMERSET said, that while agreeing with the remark of the noble Marquess (the Marquess of Salisbury), on a recent occasion, on the desirability of the business of the House being transacted in public, he must express surprise that he should have pressed forward this measure to its present stage without having given any explanation of its scope and purpose. Both sides of the House would agree that it was desirable in a representative Government to place the permanent servants of the Crown in a distinct position from its Parliamentary servants; because it was essential that whichever party happened to come into power, they should find a set of able and experienced men, generally free from party feelings, ready to assist them in the duties of their Departments. But for this, indeed, we could not go on under a representative Government. A step, however, in the direction of this Bill, had been made by the Legislature last Session, by conferring the voting power on the permanent servants, and it was now proposed to make them eligible for seats in the House of Commons. Now, if these gentlemen were allowed to enter Parliament, with all the knowledge gained in the Ministerial Departments,—perhaps, while the confidential servants of the Minister themselves—he apprehended that it would be detrimental to the public service; because it would diminish those relations of confidence which now existed between the Ministerial heads and the permanent heads of Departments. Then he wanted to know whether the Bill was to apply not only to persons who had retired after a long tenure of Office, but to those whose Offices had been abolished under schemes of re-construction? Were such men to gain seats in Parliament, and to speak with the advantage of the information they had become possessed of—an advantage which would naturally give weight to their speeches, even though some of that information might be incorrect? Constituencies, it was urged, should be free to elect whom they liked; but there must be some limit to this liberty of choice; for they could not be allowed to elect men who were still permanent servants of the Crown; and, if men who had just retired from Office were returned, they would be liable to use, even unintentionally, the information which they had confidentially obtained. Anyone who had been in Office during the last twenty years must know that things of this kind had sometimes occurred, greatly to the disadvantage of public servants: and if a man, while working in an office, was looking forward to establishing a Parliamentary reputation hereafter, he might be tempted to communicate with those who would assist him in that object, and to use his official knowledge for the purpose of his future career. Our Civil Service was now admittedly excellent; why, then, should we run any risk by making this change? These were the objections to which the Bill seemed to him to be open; but it was quite possible that the noble Marquess, who could explain any matter he took in hand with so much ability and precision, would be able to show that they were unfounded.

THE MARQUESS OF SALISBURY said, he had been sometimes censured for making too long speeches, but he had not before now been found fault with for not speaking at all. The fact was that a very interesting subject was impending on the evening fixed for the second reading of this Bill, and having ascertained from the noble Earl (Earl Granville) who represented the Government in that House, and from the noble and learned Lord the Leader of the Opposition (Lord Cairns) that neither side objected to the measure, and knowing their Lordships' disinclination for unnecessary speeches, he proposed the second reading without remark. As, however, the noble Duke (the Duke of Somerset) desired an explanation of the Bill, he was, of course, bound to give him one. The object of the statute of Anne, on on which the present regulations on this subject were mainly based, was to limit the power and influence of the Crown by preventing too large a number of persons holding offices or pensions at the pleasure of the Crown from sitting in Parliament; but as pensions fixed by process of law and to which the holders had an indefeasible right did not then exist, their case was never contemplated. In course of time such pensions, under the name of superannuations, were established, being earned by an annual deduction from individual salaries, and so becoming the right of the persons who earned them, not by favour of the Crown, but by virtue of the duties they had performed. The statute of Anne it was then found had an operation which had never been contemplated—such, at least, being the judgment of some lawyers — for it excluded from the House of Commons persons who had retired from the Civil Service on superannuations. There was therefore a *primâ facie* case for removing an accidental and undesigned disability. He was told that some very distinguished persons had been excluded from the House of Commons by the operation of this statute—among them being the late Mr. Hallam; but it would be invidious to refer to men still living. He could not see the slightest objection to their presence in Parliament, for there was not such a superfluity of public experience that persons should be excluded because they knew too much of public matters. Their Lordships would all understand the noble Duke's speech, but it was likely to have an unfortunate effect out-of-doors, giving people the impression that the main object of those who held high offices in the State was to enter into a kind of conspiracy to keep from Parliament the knowledge of what was going on within the walls of their offices. The noble Duke dreaded the possibility of a former subordinate revealing what had occurred in a public office; but it was proposed by the Life Peerages Bill to introduce into this House, *inter alios*, persons who had held these very permanent offices which were now regarded as an absolute disqualification for sitting in Parliament. The inconvenience which he dreaded was a purely theoretical one, for he did not believe the noble Duke could adduce a single instance in which the discretion always observed by servants of the Crown had been departed from, and in which knowledge obtained in a confidential capacity had been used to injure a former superior. Until a case of this kind was adduced, such an imputation was a libel on a service which had not deserved it, and was no reason for retaining a special disability. If the noble Duke's view were correct, such men ought to be excluded as jealously from this as from the other House; but the most recent addition to the Roll of this House was a man who had held high office under the Crown with great distinction, and nobody had ever supposed that the gift of a peerage to such a man was an injury to Secretaries of State for India. The House of Commons did not enjoy such a superfluity of political knowledge as to justify the exclusion of distinguished official men; and a possible breach of confidence which had never yet occurred did not justify the exclusion from Parliamentary honours of a deserving class of Her Majesty's subjects, who were eminently fitted to instruct and guide the action of Parliament.

THE DUKE OF SOMERSET reminded the noble Marquess that these pensions were not in all cases matters of rule, but were sometimes settled between the head of the Department and the Treasury, according to a great variety of circumstances. He could mention many cases of the kind.

EARL GRANVILLE said, that while thinking that any Peer rendered great service to the House by scrutinizing these small Bills, which often passed without investigation, he had not anticipated any objection to this measure, having understood that it was a declaratory Bill rather than one introducing any new principle. The special cases to which the noble Duke had just referred were very exceptional; and even where increased allowances were given on the recommendation of the head of the Department these would have been settled before the Bill came into operation; so that the person who had been granted a larger or smaller pension would be perfectly independent with regard to the future. He did not quite agree with the noble Duke as to the injury which retired official persons might do, for the presumption, in the case of a man who had held office for many years in the Civil Service was that the information he possessed might be of great use to Parliament. As to any improper use of that information, he did not believe them capable of such conduct; but if anyone was so, he had ample facilities of doing it now by means of the public Press or by communicating with a Gentleman already in Parliament. He did not see how the Bill could make this more harmful; while, on the other hand, persons of this class might take a useful part in the discussion of public questions.

Motion *agreed to;* House in Committee accordingly; Bill *reported,* without Amendment; and to be read 3ª on *Monday* next.

MILITIA BILL.—(No. 83.)

(*The Lord Northbrook.*)

THIRD READING.

Order of the Day for Third Reading, read.

Moved, "That the Bill be now read 3ª."—(*The Lord Northbrook.*)

EARL GREY said, he desired to call the attention of their Lordships to the general subject of this Bill. He thought that the Bill, though an improvement on the existing law, would not fulfil the purpose of providing an efficient Army of Defence. What was wanted was some machinery, which, without unduly burdening the country, would provide for such a rapid increase of our means of defence when war broke out that we should not be exposed to sudden danger. That was the important object which should be had in view; and it had become of more importance of late years than at any former period. He need hardly remind their Lordships that Prussia had so organized her military system that she had been enabled during the late German war, to the great surprise of Europe and of the most experienced persons of the military profession, to call into immediate action such a numerous and highly trained force as utterly to defeat what was considered one of the most powerful Armies in Europe. More recently the Government of France, seeing what had been effected by Prussia, had followed her example. A law was not long ago passed in France which placed a largely increased proportion of the inhabitants at the disposal of the Government for the purpose of military training: the number of young men who would escape the necessity of performing some military service to the State was very small indeed, and France would in future possess the command of a very numerous trained Army, which, at a moment's notice she could bring into the field. During the discussion of the Budget in the Legislative Assembly, the French Minister of War pointed out the immense advantage which the new organization of the Army would give to France; she could, under that organization, without doing anything to attract the attention of neighbouring Powers, in a very few days put an enormous Army in the field. Now, when our nearest and most powerful neighbours pursued this policy—when they deliberately adopted measures by which they could, at any moment, assemble enormous Armies either for offensive or defensive operations—it certainly did seem to him, that for the safety of this country, they were bound to adopt the best means of having a trained force of a similar kind, and he asked them to consider whether it was possible that the Militia, as now constituted, could effect that object. He had no fault to find with either the officers or men of the Militia—he believed both zealously performed to the utmost of their power the duties assigned to them; and it was really wonderful, all things considered, how much efficiency our Militia regiments had acquired—the utmost credit was, in his opinion, due both to officers and men for what they had done in this respect; but, after all, was it not universally admitied that the Militia, as it now stood, was utterly incapable of meeting a trained Army in the field? In the discussions that were held in that House not long ago on the general position of the Army, that opinion was avowed on both sides; all that was claimed for the Militia being that in six months after they were embodied they would become a really efficient Army. But in the present circumstances of Europe, if we should ever again unhappily be engaged in war, a force that would only be ready in six months would be of no use to guard against our real danger—it was in the first week of the war that our danger would arise. People made a great mistake who reasoned in favour of the Militia as at present constituted, from the experience of the great Revolutionary War with France. During that war, when the Militia was said to have rendered such useful service, the Militia was permanently embodied. It was kept embodied from the commencement of the war; and the consequence was that in name, indeed, it was still a Militia, but it became to all intents and purposes a second Army of the Line, quite as costly, but necessarily somewhat less efficient than the first. But that was not what was wanted now. What was wanted was some force which would enable us to meet a sudden and pressing danger. One of the objects of this Bill was to meet the deficiency of officers for the Militia. Increased pay was to be given to the officers in the Militia and in order to extend the field of selection, the property qualification was to be done away with. Both those measures so far as they went he approved. But they would do little or nothing towards meeting the want of properly trained officers in order to make the Militia effective. The profession of arms, like every other profession, could only be acquired by time, labour, and study. The advance which had been made in military science, the improvement of arms used in modern warfare, and the more complicated nature of modern compared with ancient warfare—all these required much higher instruction both in officers and in privates, but especially in the officers, in order to make an Army more really effective than was necessary in former times, when a simpler system of warfare prevailed. But how was it possible that an officer of Militia, who was employed only one month in the year, could acquire the necessary qualifications? With the pay of only one month in the year he could not follow the Army as his principal occupation; so long, therefore, as peace lasted the Militia was necessarily officered by men whose military duties were only secondary, and subordinate to their civil occupations. Nor was it much better when war broke out. If the Militia was permanently embodied, a large portion of the officers who had other, and to themselves more important, avocations, would be compelled to retire, as occurred during the Crimean War, while all the more energetic of the officers who were willing to devote themselves to a military life and follow it as a profession would seek to get transferred to the Line, where all the distinction and rewards of the service were to be obtained; and the result would be, as he had stated, that the Militia would become a second Army of the Line, as costly, but inferior in efficiency. That was the inevitable character of the Militia under the existing system; and what was true in 1852 was more so now. He thought, considering the great change which had occurred in the organization of the Continental Armies, that if this country desired to make its means of defence proportionate to the increased means of offence which neighbouring nations were preparing, it must to some extent act on the same principle as they do. That principle was to train to arms as perfectly as possible a very large number of men, and, having done that, to allow them to leave active service after a short service, the country, at the same time, retaining the power of recalling them to their colours whenever they might be wanted. By this means, without imposing a very heavy burden on the country during peace, the Government were able to command the service of an exceedingly efficient Army at a very little notice. As he had said, we ought to act on the same principle. He therefore heard, with great satisfaction, the Under Secretary of State (Lord Northbrook) declare on a former evening that this was, to a certain extent, the view of the Government; that unless they had a large number of men, who, after having so served and after having been so trained, were released from active employment, it would be impossible to make any sudden augmentation of the military force: this object, however, might be attained by a great abridgment of the period for which the men served. He trusted that he had understood correctly that it was this purpose which the Under Secretary for War stated the Government had in view. He hoped that the effect of the projected measure would not be embarrassed by an alteration of the law as it stood. Two years ago their Lordships passed a Bill which prolonged enlistment from ten years to twelve years. He (Earl Grey) objected at the time to the proposal, and he still retained the objections he then expressed; but he was persuaded that grievous evil and inconvenience arose from frequent changes in the law with respect to the conditions on which the soldiers were enlisted, and he trusted, as the Bill he had referred to had been passed by Parliament, that it would not be hastily repealed. It was not necessary either to repeal or alter it in order to obtain the desired force. The object could be effected by mere departmental arrangements. It might be notified to the soldiers that, on being perfectly and efficiently trained, such of them as desired their discharge would be allowed to have it on condition of entering the Army of Reserve. That plan might be tried as a tentative measure, as, in the course of a few years, it would be seen whether or not such an Army of Reserve would be obtained as it was desirable to maintain. Of course, this plan would be mainly applicable to the Army at home; but he believed that, in some of the foreign stations, the same principle might be acted on under certain conditions. He was persuaded, however, that no attempt of this kind to enable troops to obtain an early discharge could be successful unless they combined with it means for the more effectual training of the soldiers. It was nearly thirty-four years ago since he began, when he held the Office of Secretary at War, very fruitlessly to preach this doctrine to the military authorities at the Horse Guards. He regretted that he never succeeded in persuading them to adopt it, and he had not the power to over-rule their objections to it. But he was more than ever persuaded that Napoleon, that great master of war, was right in his doctrine that the training of the soldiers should be carried to the highest point—and not only military training, but industrial training also. They should be taught the use of the spade, and they should be employed, as far as possible, in public works of all kinds, and especially in military works. The mistake committed at Aldershot of making by contract roads, drains, and all kinds of works, which might have been executed at a small expense by the troops, who would have gained instruction by being so employed, ought not to be repeated. Education at the military schools should also be attended to, so that every soldier might be able to read and write shortly after enlistment. All this would make the Army more efficient in case of war, and the soldiers, when they got their discharge, would be the better able to command good employment in civil life. By these means the Army might be converted into a great industrial school, and the propensity to intemperance—the cause of so many offences and so much sickness among the troops—would be checked. With regard to the shorter term of service, it was a great recommendation of any arrangements of this kind that it would cost no money whatever. On the contrary, by allowing men to leave the Army earlier, you would effect a great economy by a reduction in the pension list. After a few years service, not, of course, during war, but during peace, a sort of tedium and disgust came over a soldier, and the repetition of the same dull round of military duty made a soldier's life intolerably irksome. This was another argument in favour of short enlistments. He did not dispute the advantage of having men of experience in the ranks during war; but there would never be a lack of old soldiers as non-commissioned officers; and then the terms of enlistment should be so settled that soldiers should only be allowed to take their discharge during peace. His firm conviction was that future wars would generally be of short duration; they would be speedily decided, and while a war continued, few old soldiers would desire to take their discharge. He was aware that the formation of an Army of Reserve would be a thing of gradual growth; and he would ask the Government whether it would not be advisable — until an efficient Army of Reserve in connection with the Regular Army could be formed—to endeavour to apply part of the large sum which was now annually wasted upon the Militia to make our Regular Army more complete. An increase might be made in the rank and file, the Reserve might thus be filled up; and, so soon as the Reserve was complete you might check recruiting. He believed it would be for the public advantage to spend in this manner the money wasted upon the Militia. The expense of the Militia, during the current year, would be more than £1,000,000. That was a large sum to employ in maintaining a force which, as at present constituted, was ineffective for the purposes for which it was designed. Of this large sum no less than £287,000 a year was spent upon the Staff—that is to say, you employed an adjutant and non-commissioned officers during twelve months, for service rendered only during one month, at the cost of the sum he had mentioned. Such an arrangement was unsatisfactory and expensive. He was quite aware that the Militia, as now constituted, would not be worth much without a permanent Staff. But could there be any necessity for paying men for twelve months' work and only giving them one? Besides, those men were taken from active employment and placed in a country town, where, for eleven months out of twelve they had practically nothing to do. The adjutant left the Regular Army in order to obtain his adjutancy; there was no employment in the Militia which it would pay him to accept in place of it; and, therefore, he was animated by none of those motives which ordinarily stimulated a man to exertion to make him energetic in the performance of the duties which were imposed upon him. For his own part, he thought it quite marvellous how well, under circumstances so disadvantageous, those duties were discharged, but there could still be no doubt that the inevitable tendency of the present system was gradually to produce slackness and inefficiency; and of the justice of that view he felt convinced, while he did not wish to impute the smallest fault to those who were now serving in the positions of which he was speaking. But, passing from that point, he would beg the House to observe how completely, if we had a large Reserve, which might at any moment be called upon to assist the Regular Army, it would save the country from sudden danger from any attack which there need be any reason to apprehend. He cordially concurred in what had fallen from his noble Friend the Under Secretary for War (Lord Northbrook) the other evening to the effect that we must look upon our Navy as our principal means of defence; what we required in addition was to be able to assemble at a moment's notice such a force on land as would make it an act of madness for any foreign Power to invade this country without such a considerable Army that it would occupy a great deal of time to put it in motion, and thus afford us ample notice of the attack with which we were threatened. He need hardly say that to carry 100,000 men across even the narrow sea which divided us from the Continent would necessitate a good deal of preparation, and that transports filled with troops would be an easy prey to our fast-sailing iron-clads. We might, therefore, feel perfectly secure if we had such a Reserve as would enable us to place in the field an Army capable of contending with any force which might be landed suddenly on our shores; and he certainly was no advocate for keeping up a Reserve to take the field in a foreign aggressive war, while he thought it most essential that we should be provided with the means of repelling invasion. He had stated that a number of men going into the regular Army from the Reserve would at once fill up the numbers of the depôts of the several regiments, and convert them into efficient second battalions. The additional officers of the higher ranks that would be wanted would be obtained by the promotion of those already in the service, and all that remained to be done would be to give commission to ensigns, and, perhaps, lieutenants, to fill up the places of those who had been promoted. There would be a great advantage in thus promoting a number of young officers to the higher regimental ranks; and if that were not found to be sufficient nothing could be more easy than to make an arrangement by which a certain number of high regimental officers might be placed on half-pay, and in that way the current of promotion increased. He had now to apologize to their Lordships for having trespassed so long upon their time. The opinions which he had expressed were, in the main, those which he had adopted when he had the honour to hold the office of Secretary at War, thirty-four years ago, and which all the experience which he had since had only served to confirm. He had avoided entering further than was necessary into detail in endeavouring to elucidate the important principle which he was advocating. That for which he was contending was that we ought to have a Reserve connected with the Regular Army, and that steps ought to be taken to put an end to that frightful waste of public money which the present system involved. In conclusion, he had merely to express a hope that, before the Estimates for another year were prepared, the Government would look attentively into the subject, and consider whether the Militia, as now constituted, was calculated to meet the real wants of the country, and whether the public money might not be economized, and the public safety at the same time better secured by the adoption of some measures founded on the principles which he had imperfectly endeavoured to bring under their Lordships' notice.

LORD NORTHBROOK: The noble Earl who has just sat down is better entitled than, perhaps, any other Member of your Lordships' House to call attention to the subject which he has brought under our consideration. I feel, without any affectation, great difficulty in replying to the noble Earl, who has had, in administration and in Parliament, so large an experience in dealing with that subject; but the difficulty has been greatly diminished by the observations which fell from him towards the close of his speech, in which he laid down the principle which he laid down in 1852, and which very much narrows the question which we are discussing. In that year, as now, the noble Earl stated that, with the superior naval force preserved by this country, it is not necessary for us to be in a state of immediate preparation to meet those enormous Armies which he says, truly, can be brought into the field by some Continental Powers. He admits that, in his opinion, it would be sufficient—and I think it is sufficient in the opinion of the country — that while we rely on our naval superiority for the first line of defence, we should have such a respectable force of trained soldiers as might prevent any Power with which we might happen to be at war from being tempted to send an expeditionary force to the shores of England which might possibly escape the naval forces of Her Majesty. I venture to say that the observations of the noble Earl on this point, in which I entirely concur, put out of the question any comparison which can be drawn between the forces of France or Prussia and those of this country. Far be it from me to express an opinion on the policy pursued by the Governments of those countries; but I may remark that it has been stated on no mean authority that those large armaments, and the pressure which they bring to bear on the populations, are not likely to last long. In a remarkable pamphlet written lately by Count Hamilton, and referred to in the Swedish Chambers, an opinion to this effect is expressed by that distinguished officer, who was present in the late Prussian campaign, and who possesses an intimate knowledge of the organization of the forces of the Continent. Dealing with this question on the basis that we ought to have a sufficient trained military force, what does the noble Earl ask us to do? He asks us to get rid at once of the present Militia, and to substitute for it an Army Reserve. Now, I confess that, with respect to the Militia, I cannot think the experience we have had of that force since 1852 justifies the condemnation of the noble Earl, who contends that it ought to be destroyed root and branch. Since the year 1852 the Militia has been called upon, during the Crimean War and the Indian Mutiny, to render assistance to the Regular Forces of the Crown. There were 100 Militia regiments embodied in 1854, and 145 in 1855, while a smaller number were embodied during the Indian Mutiny. Ten of those regiments of Militia volunteered their services to reinforce the garrisons in the Mediterranean, and during their stay there they were in a state of the highest efficiency, and might have been placed on a level with the regiments of the Line. In addition to the great services rendered by the Militia on the two important occasions referred to—in the seven years from 1854 to 1861—no fewer than 78,357 recruits for the Army were obtained from the Militia. Between the years 1803 and 1815—during the Great War—the number of recruits obtained for the Line from the Militia was 103,933. It will be seen, therefore, that the number of recruits per annum was greater during the more recent period than it was during the time of the Great War. Have the anticipations which the noble Earl formed of the Militia when the Act of 1852 passed been realized or not? The noble Earl feared that the Militia would interfere with recruiting for the Army. The fact, however, is that during the last few years the Militia has been recruited in full, but this has not in any way interfered with recruiting for the Army. The noble Earl also anticipated that, as the Militiamen are only called out for a short period in each year, they would not be available when called upon. At one time, it is true, there were a great number of absentees from Militia regiments. In 1859, for instance, there were more than 42 per cent of absentees; but, in consequence of the recommendations of a Royal Commission appointed to inquire into the state of the Militia, considerable amelioration was made in the condition of that force, and the result has been eminently satisfactory. In 1867, the last year for which the Returns have been completed, the percentage of absentees in the number of privates enrolled was not 6. Nor is that by any means a solitary instance, for in no one year, between 1860 and 1867, has the percentage been higher than 12. In most of those years it has has been 7 and 6 per cent. Therefore there has been found no difficulty in treating the Militia in such a way as to insure the attendance of the men at the time of training. The noble Earl has truly said it is more than ever necessary for officers of the Army and Militia to receive an efficient training in order that they may be able to instruct the men in their duties. As I mentioned, the other night, when called upon to address your Lordships, that subject is at the present time under the consideration of the Secretary of State, and it has been also very carefully considered by Major-General Lindsay, the Inspector General of the Reserve Forces. The noble Earl may therefore rest assured that the subject will not be overlooked by Her Majesty's Government. Another remark made by the noble Lord, in his criticism of the Militia, is with respect to the cost of the permanent Staff. I certainly concur in what fell from the noble Earl on that subject, because it appears to be a very great waste of power to have officers and non-commissioned officers paid all the year round, and only performing duty for a short period in each year. This subject is under the consideration of a Committee, which is now sitting at the War Office, at the instance of my right hon. Friend the Secretary of State, for the purpose of ascertaining whether some system cannot be contrived by which the services of the permanent Staff of the Militia may be utilized for other purposes than that simply of training the regiments when out at drill. I entertain a confident anticipation that the re-organization, or rather, the bringing together of the Reserve Forces of the country, will not be inconsistent with a considerable economy of expenditure. Such, then, being the criticism which the noble Earl has made on the Militia, I now come to the alternatives which he has asked us to adopt. And, first of all, I wish to say a word or two on what fell from the noble Earl with respect to shortening the term of enlistment with the view of establishing an efficient Army Reserve. As your Lordships may recollect, it is the opinion of my right hon. Friend the Secretary of State—which opinion he has expressed in the other House of Parliament—that, provided we could obtain men who would enlist in the Army for a shorter time of service and afterwards continue their services in an Army Reserve, the effect would be the establishment of the soundest system of Reserves which could be devised for the Army of this country. At the same time, no doubt, there are great difficulties in the way of establishing such a system, and I can assure the noble Earl that the suggestions he has made on the subject will receive the consideration which is due to them on the part of my right hon. Friend. The noble Earl has remarked that the alternative ought to be given to soldiers of leaving the Army and joining the Army Reserve. That plan has already been tried to a considerable extent, and has failed. General Peel, when Secretary of State, established a system of Army Reserve, and part of that system was that a soldier might, after seven years' service, leave the Army and serve the rest of his enlistment of twelve years in the Reserve; but I am not aware of any single case of a soldier having taken advantage of that option. At all events, there have not been more than three or four men in all the Army who have done so. I do not mean to say that the system has had a complete trial, and I certainly think there is a good deal of hope that a system of shorter enlistments may be carried out and an efficient Army Reserve produced. Still, it must be borne in mind that a considerable number of years must elapse before anything like a tangible force can be produced by this means. Considering that we must depend entirely on voluntary enlistments, and that it must be left to the feelings of the men as to whether they will join the Reserve or not, it will be impossible to calculate how many men would be obtained under such a system in a certain number of years; therefore, I cannot agree with the noble Earl in thinking such a system would in any sense be able at once to replace the Militia as the Reserve of this country for home service. The other alternative suggested by the noble Earl was an increase of the Regular Army. Now, there are great difficulties in the way of such an increase; one of these was forcibly made by the noble Earl in the speech to which he has referred, and which was delivered on the 15th of June, 1852. He then said—

> "If a considerable increase were made in the Army, I am convinced that, in a little time, the country would get tired of seeing a large force kept up with apparently little to do, and there would be such a pressure for the reduction of the expense that it would be absolutely inevitable to give way to it."

I entirely concur in that opinion. But I will assume that the whole of the £1,000,000 which the noble Earl mentioned as likely to be spent in the present year on the Militia was spent in increasing the Regular Army. Say, for argument's sake, that 20,000 men might be thus added. I venture to contend that the Militia, in its present state, would be a better force to have in this country than an addition of 20,000 to the Army; and for this reason—your Lordships must know that the first thing to be done in time of war would be to take care that your garrisons were efficient. It was stated in this House by a high authority that 30,000 men would be necessary for your garrisons in time of war. What would then be the effect of an increase of 20,000 men to the Regular Army as compared with the present Militia? If the Army were increased by 20,000, you would have no more than those 20,000 men in addition to the troops available in this country for service in the field, after providing for the garrisons. But if the Militia of 120,000 were embodied, you would at once be able to relieve the Regular Forces in the garrisons; you would have available for the garrisons 30,000 men of the Militia, and the remaining 90,000 would also be of great assistance to the Regular Army. Sir John Burgoyne, in his recent pamphlet, says that a number equal to one-third of the Army in the field might very properly consist of Militia. Therefore, under the present system of Militia, supposing you had a Regular Army of 40,000 men in this country, you would have the whole of those 40,000 men disposable, to which you might add one-third of that number of Militia; whereas, if you increased the Regular Army by 20,000, and abandoned the Militia, you would have only 60,000 men in all, of which number 30,000 would be required for the garrisons. Therefore an increase of the Regular Army to the amount now spent upon the Militia, so far from increasing the strength of the country in time of war, would place us in a positively worse position than we are at present. I have now touched on most of the points brought under your Lordships' notice by the noble Earl. I have expressed my concurrence to a considerable extent with the argument used by the noble Earl with respect to the introduction of shorter terms of enlistment, although I am not insensible to the difficulties attending it; but I cannot in any degree concur with him when he asks your Lordships to subvert altogether a force which I believe is to be regarded as the most important Reserve that this country possesses for a time of war, and which has been recognized as such by the Royal Commission which sat only two years ago to consider the subject of recruiting. Lastly, my Lords, I must be permitted to say that I believe at no former period did this country stand better than it does at the present moment in regard to its defensive position, if by any misfortune we should be placed in a state of war. All that appears to be desirable to the Secretary of State is that the different Reserve Forces of the country should be brought more into harmony and consolidated together, so that an organization may be prepared to enable them to act harmoniously if their services are called for; and also that, if possible, a plan of an Army of Reserve should be framed which would not only enable us to rely on the Militia to recruit the *cadres* in time of war, but also give us a large number of men who, having passed through the Army, would be immediately available to fill up the *cadres* of the infantry battalions, and render their services to the country in any part of the world.

The Duke of NORTHUMBERLAND said, he wished to call the attention of the Government to the extreme danger of diminishing the numbers of the permanent Staff of the Militia. He could only say he believed that if anything could he done to give the Militia greater efficiency than it now had it would be secured by an efficient permanent Staff. He earnestly trusted that no step would be taken that tended in any way to diminish either the number or the efficiency of the permanent Staff of the Militia; and he believed that any economy which would render these men's services less available, or which would reduce their energy and zeal, would be very detrimental to the public service.

Lord de ROS said, it had been proposed that the soldier should be relieved from any very long term of service; but the fact was he was relieved from it at present. The noble Earl (Earl Grey) had stated that a man behaving respectably, and who had served as a soldier for a certain number of years, should be allowed to take his discharge; but the noble Earl forgets that such a soldier is already allowed to do so; provided he had prudence and self-denial to save up his pay with that object. As to the British soldier returning, as he did in Prussia, to his former agricultural habits, and being ready to be called out and brought into the ranks at once, there was no analogy between the Prussian and the English soldier. The English soldier, when discharged, seldom went home and resumed his original employment. He generally got a situation on a railway, or some domestic or Government employment. In his belief, the discouragement of long service would be about the greatest mischief that could be inflicted on the Army and on the country. He very lately read a statement made in the Chamber by Count Moltke, the celebrated Prussian general who organized the late campaign, in regard to the proposition for shortening the service of the soldier, and that distinguished authority had stated most distinctly that, although the Prussians had gained a great triumph over Austria, and had much reason to be proud of it, they should remember that that success had been obtained over troops, the greatest proportion of whom had not been eighteen months in the Army; that if they diminished the term of service of the British soldier, gain what they would by it in economy—they would have an armed mob, and not an Army; and he earnestly cautioned them against so great a misfortune. To advert to the matter of the Militia Staff so judiciously mentioned by the noble Duke. The adjutants in the Militia had been referred to disparagingly by persons not very conversant with that subject; but he happened to know many of the Militia adjutants, and he believed they were most active and energetic men, who deserved the greatest credit for the perfection to which they brought their regiments. He had very lately seen the Berkshire Militia at field exercise, and he was quite surprised at the efficiency and activity of the adjutant and the non-commissioned officers of the permanent Staff of the corps.

Motion *agreed to;* Bill read 3^a accordingly (with the Amendments), and *passed*, and sent to the Commons.

JUSTICES OF THE PEACE QUALIFICATION BILL [H.L.]

A Bill to repeal the Qualification required by the Act eighteen George the Second, chapter twenty, for the office of Justice of the Peace—Was *presented* by The Earl of ALBEMARLE; read 1ª. (No. 93.)

House adjourned at a quarter before Eight o'clock, to Friday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 4th May, 1869.

MINUTES.]—PUBLIC BILLS—*Resolution in Committee*—Election Commissions [Expenses].
Ordered—First Reading—Recorders' Deputies* [107].
First Reading—Greenwich Hospital* [105].
Second Reading — Municipal Franchise* [85]; Local Officers Superannuation (Ireland)* [87].
Committee—Irish Church [27]—R.P.
Committee—Report—Libel* [17-106].

The House met at Two of the clock.

SAVINGS BANKS.—QUESTION.

MR. WELLS said, he wished to ask the Secretary to the Treasury, When the Savings Banks Returns, moved for on the 1st March, will be laid upon the Table?

MR. AYRTON said, in reply, that the Returns in question were not furnished by the Government, but by the savings banks themselves; and as there were 511 savings banks the hon. Member would see that it it took a considerable time to collect them. The Government had received Returns from about 400 banks.

ARMY—BRANDING DESERTERS.
QUESTION.

SIR ROBERT ANSTRUTHER said, he would beg to ask the Secretary of State for War, Whether, under instructions from the War Office, the authorities at the Horse Guards have issued any Order forbidding the marking of Soldiers a second time with the letter D; and whether there would be any objection to lay a Copy of such Order, if issued, upon the Table of the House?

MR. CARDWELL, in reply said, the Question of the hon. Gentleman correctly described the state of the case, and if the hon. Member would move for a Copy of the Circular it should be laid on the table.

IRELAND—RIOTS IN LONDONDERRY.
QUESTION.

MR. W. JOHNSTON said, he wished to ask the Chief Secretary for Ireland, Whether the Government will institute an inquiry into the conduct of the constabulary in firing on the people on the occasion of the visit of his Royal Highness Prince Arthur to Londonderry?

MR. CHICHESTER FORTESCUE replied, that he could only repeat what he stated the previous day, that it would be premature to give an answer to the Question now, but that he hoped to give a positive answer either to-morrow or next day.

IRELAND—MAYOR OF CORK.
QUESTION.

MR. DAWSON said, he had given ample notice of the Question he had to ask with regard to the language attributed to the Mayor of Cork, in order that the Government might give a definite and deliberate reply. He had no intention to repeat the nauseating words, which were by this time known to every hon. Member in that House, and which had been published in every newspaper in the Kingdom. He had seen no satisfactory retraction of the phrases in question. [" Order."] He would therefore ask the Attorney General for Ireland what course the Government intend to pursue, and whether, if the present state of the Law does not permit the summary dismissal of an official occupying so responsible a position, some means and measures would be taken to satisfy the just expectations of the nation in regard to the withdrawal of an authority which had apparently been abused by the first magistrate of the City of Cork, and against the honour and dignity of the Crown? He also begged to ask, whether the account given in the newspapers of yesterday and to-day of a popular demonstration in favour of the Mayor of Cork is substantially correct according to the information received by the Government?

THE ATTORNEY GENERAL FOR IRELAND (Mr. SULLIVAN): Sir, I have no doubt whatever that the deplorable language attributed to the Mayor of

Cork, in the Question the hon. Member has asked, was used by him on the occasion referred to. Before the hon. Member put his Question on the Paper the Government had thought it their duty to institute the strictest inquiry into the subject, and the result is as I stated. These words having been used, and other matters having occurred in the police court in Cork, in which the Mayor of Cork sits *ex officio* as a justice of the peace, I have to state that the Government is of opinion that the office of chief magistrate of Cork City cannot, consistently with the dignity of the Crown, be any longer continued in his hands. And inasmuch as neither the Executive Government of this country, nor the Lord Lieutenant of Ireland has any power to remove him from the office of justice of the peace, it his my intention to-morrow to ask leave to introduce a Bill to disable the present Mayor of Cork from holding the office of mayor or justice of the peace, or any office of magistracy in the City of Cork or elsewhere in Ireland. It is right to state further that Her Majesty's Government is of opinion that he cannot consistently with the due administration of the law retain his office. By the Charter of the City of Cork the mayor of that city is a Commissioner of Oyer and Terminer, and could sit with Her Majesty's Judges of Assize; and that is an additional reason for removing him. I shall, to-morrow, in asking leave to introduce the Bill, state fully how the law stands, and the reasons why the Bill should receive the acceptance of the House. With respect to the latter part of the Question of the hon. Member, as to a popular demonstration in favour of the Mayor, I beg to say that it is most incorrect to attribute that meeting to the inhabitants of the City of Cork. It was a meeting which, having regard to the numbers and the class of persons who attended it, does not require any attention whatever. I shall to-morrow assign full reasons why the course which I have pointed out is necessary, and why no other course is open to us.

Sir HERVEY BRUCE said, that after the answer which had been given by the right hon. Gentleman, he would not ask the Question, of which he had given notice, as to whether the Act of Charles II., regulating the election of magistrates in Ireland, had been repealed.

The Attorney General for Ireland

PARLIAMENT—WHITSUN HOLIDAYS.

QUESTION.

Mr. J. G. TALBOT said, he would beg to ask the First Lord of the Treasury, Whether it has escaped his notice that the Secretary of State for the Home Department, in fixing the Second Reading of the Habitual Criminals Bill, named Monday 31st May, and described that day as the first Monday after the Whitsun Holidays; and whether, therefore, he will reconsider the announcement just made, that he proposes the House should reassemble on Monday 24th May?

Mr. GLADSTONE: I presume, Sir, my hon. Friend wishes that we should resume our sitting on a day which will make Monday the 31st, the first Monday after the adjournment. I must confess that my statement of yesterday was founded upon an inadequate appreciation of the state of public opinion in this House. The only answer I can make is that I consulted the usual organs of information upon the subject, and on this occasion they have not proved so entirely faithful to me as I have generally found them. If there is to be a recantation it is better it should come at once, and I therefore state that if our progress with the Irish Church Bill is considerable, and we dispose of the Report within the time I mentioned, I shall be prepared to propose that the House do adjourn from Thursday till that Thursday fortnight. I wish to give notice with regard to the statement made by my right hon. and learned Friend the Attorney General for Ireland that I will to-morrow move that his Notice of Motion take precedence of the Orders of the Day.

IRELAND—PROCLAMATION OF DERRY.

QUESTION.

Sir HERVEY BRUCE said, he wished to ask the Chief Secretary for Ireland, Whether it is true that the Government has proclaimed the City of Derry; and, if true, whether it received any requisition from the local magistrates for such proclamation; and, if not, whether he will object to state the information on which the Government acted?

Mr. CHICHESTER FORTESCUE said, in reply, that it was perfectly true the Lord Lieutenant had thought it incumbent upon him to proclaim the City of Derry; whether he had received a requisition from the magistrates for such proclamation he could not say. No doubt the noble Earl acted on the facts of the case, such as the unfortunate loss of life caused by the use of fire-arms in the streets of Derry between the two opposing parties, and upon the knowledge which the Lord Lieutenant possessed, that arms were in the possession of many persons who upon any exciting occasion might be too much disposed to use them.

CANADA—DOCKYARD EMIGRANTS.

QUESTION.

Sir HARRY VERNEY said, he wished to ask the Under Secretary of State for the Colonies, Whether the Government of Canada have taken any steps, by grants of land or otherwise, to induce the Dockyard Artizans who are leaving England for Canada, to remain in the dominions of her Majesty?

Mr. MONSELL said, in reply, that a few days ago, in answer to a Question put to him by the hon. Member for Perth (Mr. Kinnaird), he stated that the tax on the emigrants for the Emigrant Hospital would probably be remitted in the case of the Dockyard emigrants, but that in all other particulars they would have the same facilities as were enjoyed by ordinary emigrants. They had received a Despatch from the Governor General of Canada which contained that assurance, and that Despatch should be laid on the table at once. Since the question had been put to him he had received a Despatch from the Lieutenant Governor of New Brunswick, stating that several miles of the line of the Intercolonial Railway would be in course of construction during the summer, and that there was excellent land which would be given in lots to artizans who should work for five days a week during the next three years on the railway and had actually settled on the land. And he further remarked that the railway when completed in this part would give an ample market to the surplus produce of labour. That Paper would be at once printed and placed in the hands of Members.

CUBA—CAPTURE OF AN AMERICAN SHIP IN BRITISH COLONIAL WATERS.

QUESTION.

Sir JOHN HAY said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether it is true that a vessel under the Flag of the United States of North America has been captured in British Colonial Waters by a Spanish Gun-vessel, and condemned as lawful prize in a Cuban Prize Court; and what course Her Majesty's Government have taken in consequence?

Mr. OTWAY, in reply, said, it was true that a vessel had been captured under the flag of the United States and taken to Havannah, where she had been condemned as a good prize by the Cuban prize court. The Government had every reason to believe that the vessel was captured in British colonial waters, but this was denied by the Spanish Government. No time had been lost in communicating with that Government, but in the imperfect state of the information possessed by Her Majesty's Government it was not desirable to state the nature of that communication.

ABYSSINIA—COST OF THE WAR.

QUESTION.

Mr. CANDLISH said, he would beg to ask the Chancellor of the Exchequer, If he has ascertained, and can now state, the total cost of the War with Abyssinia which will have to be paid by the United Kingdom?

The CHANCELLOR of the EXCHEQUER: Sir, I am sorry to say that I have not yet ascertained the exact cost of the war, as some of it still remains a matter of estimate. I will, however, state all I know on the subject. Mr. Turner, our agent, anticipates that the expenditure in India will be reduced to £6,800,000, but there may be charges and also credits that he does not take in. I cannot say, therefore, that I have ascertained the amount, although I do not think that the estimate I gave will be very much deviated from. The rest of the expenditure is as follows:—£461,000 paid by the War Office; £1,262,000 paid by the Admiralty; and £250,000 paid by the India Office. The total is £8,773,000. The House will remember that, on moving the Estimates on the 4th of March, I anticipated that the amount would be £8,763,000, and that in my financial statement I stated that it would be somewhat under £9,000,000. So that, on the whole, I am encouraged to hope I am pretty nearly right in the amount I have now stated.

IRISH CHURCH BILL—[Bill 27.]

(*Mr. Dodson, Mr. Gladstone, Mr. John Bright, Mr. Chichester Fortescue, Mr. Attorney General for Ireland.*)

COMMITTEE. [*Progress 3rd May.*]

Bill considered in Committee.

(In the Committee.)

Clause 39 (Repeal of Maynooth Acts. Compensation on the cessation of certain annual sums).

Mr. WHALLEY disclaimed any feeling of hostility or jealousy towards his Roman Catholic fellow-subjects in the course which he felt bound by duty to take. His object in moving the Amendment was to carry out more effectually the objects announced by the right hon. Gentleman the First Minister of the Crown in introducing the Bill—of promoting peace and tranquillity in Ireland, and establishing something like equality between the several religious sects. Whatever might be the result of the measure in satisfying and pacifying their Roman Catholic fellow-subjects, it was not in the slightest degree from sharing in this expectation that he had taken the part he had on this subject. The Protestant population of Great Britain had systematically opposed the endowment of Roman Catholics for years past; and unless the endowment of Maynooth College was put to an end to, in accordance with principles of sound justice, the organized opposition to the Roman Catholics in this country would be prosecuted with still greater vehemance. It was said that it would be ungenerous to refuse a sum of £300,000 to Maynooth, looking at the much larger amount preserved by the Bill to the Protestant Church, which was at present the Established Church of Ireland; but he, for his part, would have willingly consented that not a single shilling in the way of endowment should have been preserved to it. He reminded the Committee that they were not levelling up, but levelling down. Under Head No. 4. the clause proposed to confer upon the Roman Catholic College of Maynooth about three times as much in proportion as was conferred upon either the Presbyterians or the members of the Church of England. It had been calculated that £143,000 would fully meet the personal claims and vested interests in the Parliamentary Grant to that College. He, however, would have most freely conceded that triple compensation had the Maynooth Grant been repealed, and the one object of the Amendment he had to submit to the Committee was to secure the repeal of that Act. The clause as it stood proposed to repeal all of that Act with the exception of the first three sections. Now, the whole country had understood, after what passed last Session, after the repeated assurances of the right hon. Gentleman, and after the letters which the right hon. Gentleman had written to the country upon the subject, that the Maynooth Act was to be repealed. All that he had read in the newspapers upon this subject was that Maynooth was to receive a larger sum than it could fairly have expected, but it had never been suggested for a moment that the Maynooth Act was not to be repealed; it had never been anticipated that, instead of that Act being repealed, it was to be confirmed, strengthened, extended, and that its powers were to be rendered beyond all comparison greater than ever. That Act was divided into three important parts; by the first, which was all comprised in the first three sections which were to be retained, the Trustees of the College were constituted a body corporate, and dispensed in their favour to a certain extent with the Law of Mortmain, by enabling them to hold land to the amount of £3,000 per annum and personal property to an unlimited extent. The second part, which related to the number of students and other matters, it was unnecessary for him to refer to more particularly; but the third part, without which the Maynooth Act would never have been passed, and which it was now proposed to repeal, required that the College should be visited annually by visitors, five of whom were to be appointed by Her Majesty. By the repeal of this part of the Act, therefore, the objectionable part was left without qualification, and the foreign power of the Papacy would be left entirely without control. He spoke in this matter as much in behalf of the Roman Catholic laity as he did in the interest of justice. On the 7th of May the right hon. Gentleman the First Lord of the Treasury, in replying to a Question from the hon. Member for Kirkcaldy (Mr. Aytoun), said that the Maynooth Endowment Act must be repealed, and he further stated that, in his opinion, the *Regium Donum* must come to an end. The right hon. Gentleman made a similar statement in reply to a Question from him, and promised that, on a future occasion, he would answer him more fully. But there was still considerable anxiety on the subject, and in the Recess a gentleman wrote to the right hon. Gentleman stating that among certain electors there was an impression that he did not intend to take away the Maynooth Grant and the *Regium Donum.* The right hon. Gentleman stated, in reply, that not only his own declarations on many occasions, but a Resolution unanimously passed by the House of Commons bound him in honour as he was bound in purpose and conviction; and he added that the *Regium Donum* and the Maynooth Grant should be wound up and cease. Could words go farther? [Mr. GLADSTONE: Hear, hear!] The right hon. Gentleman condescended to turn round and raise his voice in exultation. Perhaps the right hon. Gentleman meant to say that words could go further, and he had no doubt that, if he thought it worth while to do so, he would succeed in showing that words could go further. He (Mr. Whalley) had come forward with great reluctance with this Amendment; but he felt it his duty. Some years ago a number of persons conferred with him, in conjunction with the hon. Member for North Warwickshire (Mr. Newdegate), and asked him to continue the agitation on the Maynooth question which had been surrendered by Mr. Spooner. Some 9,000 persons, including the hon. Gentleman, signed a requisition asking him to take up the matter, and nothing which had since been insinuated, or which the hon. Gentleman might say, would excite in his mind an emotion of anger, or mitigate his admiration of that hon. Gentleman's great ability, or his earnest desire to give the hon. Gentleman all the support in his power. The people of this country had never been remarkable for great quickness of intelligence; but he believed that a remarkable impression had been made on their minds by the promises of the right hon. Gentleman. He had the greatest admiration of the right hon. Gentleman's talents, and regretted to be obliged to differ from him; but he believed that in passing this Bill he was leaving the roots of Maynooth in the institutions of this country, and giving the stamp of Imperial sanction to that armoury by which the Roman Catholic Church had at one time dominated over the world, and by which, according to Dr. Manning, she was to dominate over it again, taking Ireland as her starting point. Church of England Protestants were opposed to the College of Maynooth, and ordinary Protestants like himself [*A laugh*] were opposed to it. By "ordinary Protestant" he meant national Protestants—those who represented the Protestantism which was to be found in the records of our history long before the Reformation. The Bill as it stood would not satisfy them; it was not in accordance with the pledges given by hon. Members to their constituents on the hustings with the Resolutions of last year, or with the expectations of the electors of the country, and its effect would be disastrous to the character of the Liberal party. He, therefore, under the circumstances, moved the Amendment of which he had given notice.

Amendment proposed, in page 18, line 35, to leave out the words "except the three first Sections thereof." — (*Mr. Whalley.*)

MR. GLADSTONE: When I turned round towards my hon. Friend and cheered him, I assure him it was not so much with exultation as with satisfaction. That satisfaction was founded on two grounds — first, that I thought the pledge he quoted from me was a pledge which I had completely redeemed; but I will postpone the argument on that subject until we come to the other branch of the question. The other ground for my satisfaction was that I really desired to pay a compliment to the liberality of spirit with which the hon. Gentleman had addressed the Committee. I am convinced, whether I agree with him or not, that his speech indicates that he has endeavoured to approach this question in a spirit of conciliation, and to go as far as he could with us, stopping at that point where his conscience bids him stop. I am sorry that I shall be under the necessity of declining to admit the Motion of my hon. Friend; but, perhaps, I can explain the clause in such a manner as may, if it does not remove, at least diminish the objection of my hon. Friend. The hon. Gentleman — I know not whether from his concealing astuteness under the guise of ingenuousness, or through some accidental cause—did not refer with perfect accuracy to the nature of the pledge given by the last House of Commons to the country with regard to Maynooth. It might be inferred from the hon. Gentleman's speech that the pledge given by the last House of Commons was to repeal the Maynooth Act; but I will read the 4th Resolution passed on the 7th May, last year—

> "Resolved, that when legislative effect shall have been given to the First Resolution of this Committee, respecting the Established Church of Ireland, it is right and necessary that the Grant to Maynooth and the Regium Donum be discontinued, due regard being had to all personal interests."

That Resolution shows that we are under no pledge whatever to make an absolute repeal of the Act. So far I may trust the hon. Gentleman's candour goes along with me. Now, how does this matter stand? We propose to repeal the Maynooth Act, except as to certain clauses which continue to Trustees as an incorporated body, certain powers attaching to them by Act of Parliament. When we came to deal with this question we found we had to make arrangements for the Established Church. Out of those arrangements there grew up an absolute necessity, for practical purposes, that if the existing ecclesiastical corporations were dissolved, some one new centre should be created, and incorporated by Act of Parliament, in order to hold those portions of property which, by universal agreement, the Bill was to hand over to the Church when disestablished, and to manage them with convenience. It was not out of deference to any abstract principle, or to a desire of favouring the Church, that we introduced a clause incorporating the Church Body; but it was because there was a necessity for some machinery for holding and transmitting property. That machinery is provided by the existing law in the shape of a multitude of corporations, both sole and aggregate; but those corporations we are about to destroy, and therefore we erect a new machinery in their place. When we came to the case of the Presbyterians, desiring to deal on equal principles with all, we were under the impression that the machinery possessed by that body, although it did not amount in law to an actual incorporation, was probably sufficient to enable them to hold and to manage such monies at they take under the Bill; but, as we were not perfectly certain of being right in this view, we intimated to them that, if there was any necessity or convenience in the privilege of incorporation for them, we should be ready to propose that such incorporation should be granted to them exactly as it had been granted to the Established Church. Then we came to the case of the Roman Catholic Church, and we found there a similar necessity, that monies of some kind should be granted in respect of the College of Maynooth, especially because, so far as Maynooth is concerned, we, the State, have no relations whatever with individuals. Under the Church arrangements we do deal with individuals who are direct recipients of what we hold to be a public fund, and it is the same with regard to the Presbyterians; but it does not hold good with regard to the Roman Catholics under the Maynooth Grant, because Parliament deals wholly and exclusively with the Maynooth trust incorporated by the Act. There is the same necessity in the case of Maynooth, as in the case of the Established Church, to have some body which, whatever title may be bestowed upon it, should have a corporate existence with a view to the management of those monies, and to the arrangements in connection with the winding up of our own pecuniary relations with them. The only difference between the cases is this, that for the Church we had to create such a body, because we were bound to destroy all the existing corporations, as the only mode of divesting the Church of the character of a national Establishment. In the case of the Presbyterian Church, we are, as I have said, willing to give them such an incorporation if it was necessitated, or even desired. But in the case of Maynooth College we found a corporation already existing. Would it not have been highly irrational if we had repealed the Maynooth Act entirely, and destroyed that corporation which we found existing, with the obvious occasion that would arise at once for creating some new incorporation in its stead to manage and control the disposal of this money? This is the whole case with regard to that incorporation. If you give the money, even if simply for the purpose of disposing of the cases of the persons now in the College, you must still continue that incorporation; and on that ground it is impossible for us to agree with the Motion of the hon. Gentleman.

MR. NEWDEGATE: The hon. Member for Peterborough (Mr. Whalley) has been pleased to recall a circumstance in connection with this question of Maynooth that occurred some four or five years ago, and the hon. Member has adverted to me in connection with that circumstance. The circumstance was this—After the death of my late Colleague I was asked, what I would do with respect to Maynooth. I said that if any hon. Member of this House was prepared to take up the question I should be happy to support him. I had never at this time had the honour of seeing the Member for Peterborough; but he was introduced to me by a very influential deputation as a Member of this House ready to take up the Maynooth question. Of course, Sir, I expressed my willingness to support the hon. Member on the question of Maynooth. For three or four years I did my best in that direction; but I found that the attempt on my part to support the hon. Member for Peterborough was totally hopeless and useless. Whether through any deficiency or any other peculiar condition, which is incident to his position on Protestant questions, he brought the question into total disrepute. He rendered it the laughing-stock of the House. And, Sir, at last I found the question in such a position, that I had to abandon both my support of the hon. Member for Peterborough, which I have done emphatically, and the idea of raising this question before the House of Commons. I regret exceedingly that the question had not fallen into other hands. Having thus explained that which relates to my previous conduct upon this subject, I would ask the permission of the Committee to make a few observations upon what has fallen from the right hon. Gentleman the First Lord of the Treasury. The right hon. Gentleman has said, that, finding it necessary in his opinion to dissolve the existing corporations, which are connected with the property and with the management of the Established Church, and having found it necessary to deal also with the conditions under which the *Regium Donum* was distributed, that therefore he finds it necessary to continue this corporation of Maynooth. The right hon. Gentleman will recollect—because I believe he was a party to the passing of the Act, he will remember—that in the Session previous to the passing of the Maynooth Act the Bequests Act touching all Roman Catholic property was passed, and that there was a Commission established, competent to deal with all questions arising out of Roman Catholic property. If, therefore, the Maynooth Act is to be repealed, the Commission under the Bequests Act ought to hold the property of Maynooth, as well as all other property connected with Roman Catholic establishments. It has never been explained to this House or to Parliament why, if it decided to abolish the numerous ecclesiastical corporations, and corporations connected with the arrangement and distribution of ecclesiastical property of the Church, the Maynooth Act should not be repealed, and why the management of the property should not be transferred to the Commissioners under the Bequests Act who hold all similar Roman Catholic property in Ireland. That has never been explained to the House of Commons; the continuance of the corporate powers of the Maynooth Trustees is, I conceive, as I stated yesterday, highly objectionable for the same category of reasons, which the right hon. Gentleman himself adduced against the incorporation of a Roman Catholic University. I hold that all those reasons apply as recommending the dissolution of the corporation of Maynooth; and I hold also that, unless the right hon. Gentleman and the Government have some reasons for considering the Commissioners under the Bequests Act of 1844 are not trustworthy, there is no earthly reason why the property of Maynooth, and any property assigned to Maynooth, to its Professors, or its students, should not be placed in the hands of those Commissioners. For that reason, now that the question is in your hands, if there is a division I shall vote against the retention of these clauses of the Acts previously regulating Maynooth, for they are not clauses only of the Act of 1845—the Maynooth Act, as it is commonly called—but clauses imported into that Act from previous Acts, under which the property of Maynooth was held. And I wish at once to state that, during the whole period of my opposition to the establishment of Maynooth, I have never yet consented to any measure that should touch or invalidate the title of those who are interested in the property of Maynooth, either to property under lease or to real property which they hold in fee simple. Had I done so, my conduct would have risen up against me when I oppose, as I do oppose, the principle of this Bill as calculated to spoliate the Church. And therefore what I am now saying is not with a view in any underhand manner to deprive those interested in Maynooth of the property they hold under lease or real property; but what I say is this—that if the principles enunciated by the First Lord of the Treasury and acted upon by the House are good for anything—if it is wholesome to disconnect the State from all connection with religion, then that principle demands that the Maynooth Act and these clauses embodied in the Maynooth Act should be repealed as well the rest of the Act, and that the property should be made over to the Commissioners under the Bequests Act of 1844; because it is specially provided that those Commissioners shall exercise no control over the religious dispositions or teachings of any establishment whose property they hold, that they shall have no connection with it, but that their functions shall be to see that the Law of Mortmain, or the principle of the Law of Mortmain—that I may avoid a technical distinction that was once used against me—is not violated by these Roman Catholic priests. I produced to this House a Petition signed in 1844 by fourteen Roman Catholic Bishops and 1,000 priests, objecting to the Bequests Act after it had been passed; not one sentence of that Petition, which was well considered, objected to the Act as an interference with the religion. They objected to it because it prevented their acquiring, as a Church, corporate property. It has been contrary to the policy of this country now for centuries to permit the Roman Catholic Church to acquire property in its corporate capacity. And, therefore, the retention of these clauses is contrary to the whole policy of this country with reference to the Roman Catholic Church. Ever since the Reformation it has always been provided that, when that Church acquires property, it shall be held not by that Church in any corporate capacity, but by a corporation created for the purpose of holding that property. Such is the corporation under the Bequests Act of 1844, and such are the analogous functions assigned under the Roman Catholic Charities Act of 1860 to the Charity Commissioners. The intention of the Legislature in not including the Roman Catholic property in England under the Charities Act of 1853 was this—that they might be included, as, to a great extent, they subsequently were, under the Roman Catholic Charities Act of 1860, the provisions of which were analogous to those of the Bequests Act of 1844. I have shown the House that hitherto the tenure of the Maynooth property, and the powers of the Maynooth Trustees in their corporate capacity constitutes an exception to the whole policy of this country with respect to Roman Catholic property. And I say that now, when you have decided as far as the votes of the House of Commons can go, that all the corporations connected with the Church of England and that its corporate rights, shall cease, that you may create a new body to hold that corporate property in in a great measure analogous to the Commissioners appointed under the Act of 1844—I say that consistency demands that you should finally abolish the corporation of Maynooth and entrust this property, like all other Roman Catholic property in Ireland, to the Commissioners under the Bequests Act of 1844.

Mr. HADFIELD reminded the hon. Gentleman who had just addressed the House that in the last Session an Act was passed that all the purchases of real estate made for a full and valuable consideration should be exempt from the operation of the Mortmain Act. If the Act which thus enabled Protestants to purchase freeholds for the purposes of charity were sound in principle, there was an end to all discussion on the subject because their Roman Catholic fellow-subjects were entitled to the same civil rights as the members of other denominations. They could not stop there; they must incorporate them. What objection would there be to the Wesleyans, with their 6,000 places of worship, being incorporated? What objection was there to give the Free Church in Scotland an Act of Incorporation? He referred to a Bill introduced into the other House by Lord Romilly, this Session, to facilitate the incorporation of religious, educational, literary, scientific, and other charitable societies or bodies, by which it was proposed to give the Charity Commissioners powers to incorporate even the trustees of any particular charity. Let them make no distinctions between one religion and another, for the law had nothing to do with those denominational distinctions. This Bill, in which all friends of religious liberty gloried, would produce a new state of things in this country. It would enable them to do away with all those foolish and ridiculous distinctions which had occupied the attention of the House for years past, to the wasting of most valuable time which might otherwise have been devoted to the promotion of the welfare of the country. It was his ambition to see the day come when the controversy would not be respecting the persons who belonged to the Church or did not belong to the Church; but when every man—acting on the advice of the late Earl of Carlisle—instead of finding fault with other persons' religion, would, improve and adorn his own—and prove his attachment to it by showing the excellence of the moral and religious principles that actuated the hearts and minds of those who professed it. He exulted in the idea that the time was coming when the question would simply be--Who is the best Christian? Each man should show the excellence of the doctrines he professed by the excellence of his life, and by its world-wide usefulness in seeking to remove every obstruction to the progress of Christ's kingdom upon earth.

MR. WHALLEY, in reply to the remarks of the hon. Member for Sheffield (Mr. Hadfield), observed that this was not a question of religion at all. What they had now to consider was an attempt to establish a dominion under the pretence of a religion, and the hon. Member should have discriminated between what was really a religion and a system which had never been found compatible with civil and religious liberty, or national prosperity. It was said that it was necessary to create a body corporate in whom the property belonging to the Roman Catholic Church at Maynooth should be vested; but the Trustees of the College, who existed before 1845, were quite sufficient for its management up to that period. The Committee would perhaps allow him to proceed to reply to certain remarks which had fallen from the hon. Member for North Warwickshire (Mr. Newdegate). On all occasions when he had been made the object of the notice of the hon. Member, he had been content to enjoy, with the rest of the Gentlemen around him, the affectation of superiority and supremacy which the hon. Member assumed, desiring only the prosperity of the cause in the name of which they were assumed, and which was worth superiority, supremacy, and every element of respect that a man in the position the hon. Member had thought fit to occupy could desire. When the hon. Member had said something of which he was bound to take notice, he waited until the next morning to read it in the columns of *The Times*, and when he found that the hon. Member was reported to have said something not in accordance with his character as a Gentleman, or something that was not true, he considered whether the hon. Member's remarks were worth notice, and if they were, addressed a letter to *The Times* in reply to what had been reported. He was charged by the hon. Member with having brought the cause of Protestantism into ridicule. If that were so, he took the present opportunity of suggesting to the hon. Member that he was to a great extent, responsible for it. Although the hon. Member had declined to accept the ridiculous position of the opponent of Maynooth, he had joined in requesting him to take that position. The hon. Member, however, since he had accepted that position, had never given him a single word of advice; neither in any respect had he given him the least assistance, although he had frequently been solicited to do so. Until he had got to the bottom of the thing, and had found that there were Protestants and protestants, he had been greatly puzzled at the conduct of the hon. Member. He did not know to that hour on what point he and the hon. Member differed, except that the hon. Member had invariably avoided affording him any assistance, and this, too, notwithstanding the hon. Member had told him, when he took up his position as the opponent of Maynooth, that he should be covered with ridicule. The hon. Gentleman told him that such was the organization of the Press by the Roman Catholic party, not only out-of-doors, but in the Reporters' Gallery in that House, that it was not possible for anybody to place himself in a prominent position as an advocate of Protestant principles without a certainty of bringing down upon himself obloquy, misrepresentation, and misreporting. That was the position in which the hon. Gentleman told him that he should be placed. But he had not felt that ridicule; he had been thrice armed, because he knew his quarrel to be just. He was sorry the hon. Gentleman should have felt ridicule and oblôquy on his account; and he also regretted that the hon. Member should have made remarks conceived in a temper different from the gentlemanly spirit which usually characterized the course of their proceedings in that House. He might add that the hon. Gentleman further told him that, although he had retired from that prominent position in the year 1861, he had had his speeches fully reported, by employing gentlemen in the Gallery expressly for that purpose.

Mr. NEWDEGATE said, that he thought it must have escaped the attention of the Chairman of the Committee that the hon. Member for Peterborough had accused him of conduct unworthy of a Gentleman. Since such expressions were not usually permitted in that House he thought it due to himself, and to the Committee, to make a brief reply to some of the statements of the hon. Member for Peterborough. The hon. Gentleman, referring to the period when he first, unhappily, took up the question of Maynooth, said that he had never given him any advice; but he had afterwards told them, that, at the commencement of his career as an opponent of the grant to Maynooth, he (Mr. Newdegate) had warned him that he was rendering himself liable to ridicule. He certainly could not exonerate the hon. Member for the damage he had done to that cause. The hon. Member was then pleased to accuse him of assuming an undue supremacy on this question; but how was that reconcilable with his having first and for years supported his late Colleague as the exponent of Protestant opinion on this subject; and then having undertaken to support the hon. Member himself in that position? He had always supported his late Colleague (Mr. Spooner) upon that subject; but when the cause fell into the hands of the hon. Member for Peterborough, the same attempts to cast ridicule upon the question, which, at one time, directed against his late Colleague, but totally failed, were renewed against the hon. Member, and then they succeeded. Whatever failure there had been, had resulted from the deficiency of the hon. Member for Peterborough as compared with the late Mr. Spooner. He protested against the imputation that he had done anything unworthy of a Gentleman. From a sense of duty he had, for years, persevered in supporting the hon. Member; and if he had given him advice, it was not with the intention that it should be re-produced to the House in the manner it had been that day, for he had given that advice in confidence.

Mr. A. EGERTON said, he wished before the Committee divided to say a word or two on the question they had to decide—namely, the propriety of continuing the Maynooth Trustees—and which had no connection with the dispute that was going on between the two hon. Members. The Government assumed that it was advisable to disestablish and disendow the Church in Ireland; but the Committee had to consider whether they would not, by that clause, place the Roman Catholics in Ireland in a better position than that in which they would leave either the Presbyterians or the members of the Anglican Church. It appeared to him that such would be the effect of that proposal by which the Maynooth Trustees were to be continued, and a Parliamentary title was to be given to the money which was to be handed over to those Trustees, while no corporate body to which the Church property could be entrusted was to be created for a period of two years or more. He believed that, under those circumstances, an advantage would be given to the Roman Catholics in Ireland over the members of the Established Church, and upon that ground he should vote in support of the Amendment of the hon. Member opposite (Mr. Whalley).

Mr. GLADSTONE said, the hon. Member, who had just addressed the Committee, laboured under a misapprehension in supposing that two years must elapse before the new Church Body was created. The members of the Church might, if they pleased, create that body the day after the Act passed, and it would immediately be recognized by the Queen in Council. He should also observe with regard to the Roman Catholic Bequests Act, that it was not a religious body at all which had been created; it was a body in sympathy with the members of the Roman Catholic Church, and the Government had declared their willingness to allow the Presbyterians to establish a body by whom they would be similarly represented.

Mr. NEWDEGATE said, he thought the right hon. Gentleman had misunderstood his argument. There was a precedent for the creation of a body in connection with the Protestant Church in England and Ireland, and there was also a precedent, he believed, for the creation of a Presbyterian body in Ireland; but there was no precedent, except the Maynooth Act itself, for departing from the principle of the Bequests Act of 1844 in reference to Roman Catholic corporations.

Mr. FIELDEN said, it appeared to him that the clause embodied the endowment of the Roman Catholic College of Maynooth. The right hon. Gentleman at the head of the Government had quoted from the 4th section of the Bill which passed that House last year, and he then said that the College of Maynooth would cease to have any endowment, but that vested rights would in in that case be respected. But the College of Maynooth would by that means be really endowed, and endowed out of money to be taken from the Established Church in Ireland. Now, he put it to any Member of the House whether the country understood that this was to be the operation of the Government measure? During the late election he and other Members of the Conservative party had endeavoured to ascertain from their opponents what they were going to do with the property of the Disestablished Church, but they never could get an answer to the question. The right hon. Gentleman the Prime Minister had given them no answer, and the right hon. Gentleman the President of the Board of Trade had also very carefully avoided answering the question. But what was specifically stated on behalf of the Liberal party was, that no part of the property to be taken from the Established Church of Ireland was to be applied to the endowment of any religious denomination. He would ask whether, if the present proposal had been before the country during the General Election, Scotland and Wales would have returned Members pledged to endow the Roman Catholic Church in Ireland? He maintained that the clause would endow the Roman Catholic Church, because Maynooth College was under the control of the Pope of Rome, and it was a seminary for the education of priests, who were to devote themselves to the teaching of the Roman Catholic religion. He would like the Committee to ask themselves for a moment what they would really be doing by this clause if it were passed. The very principle upon which the Bill was founded was that all State establishments and State endowments were to cease. But what, he would ask, was the Roman Catholic Church? Why, it was a Church Establishment on a gigantic scale, whose priests, Bishops, and Cardinals all over Ireland, all over Europe, and all over the world, were under the control of the Roman Pontiff. If anything were an Establishment, therefore, the Church of Rome was one to all intents and purposes, quite as great in its way as the Church of England or the Church of Ireland. But there was this difference between the Roman Catholic Church and the Church of England—that whilst the latter, with the view of preserving religious toleration and religious freedom, always upheld the doctrine that the ecclesiastical ought not to be supreme over the civil power; the former, on the other hand, maintained that her priests were superior to all civil officers whatever. He was totally opposed to disestablishment and disendowment, because he believed that Church establishments kept the ecclesiastical power subject to the civil power, and both civil and religious freedom was thereby promoted. But whilst the Bill proposed to abolish both establishments and endowments, the clause under discussion really endowed the Church of Rome. ["No, no!"] The Government proposed to hand over a round sum to Maynooth, and that was surely endowing it. What was so easy or so just as to pay out of the Consolidated Fund to the priests during their life-time the sums they now received, and to continue the teaching until the students now at the College had completed their education. No one would contend that Maynooth ought to be carried on for all time. He was satisfied that when hon. Gentlemen opposite came to consider this question calmly, when years had passed away, and when party feeling had died out, they would remember with regret that they had affirmed the principle that establishments and endowments were to cease as far as the Church of England was concerned, but that the Roman Catholic Church was to be endowed. A good deal had been said with regard to religious equality. The term was scarcely ever out of the mouths of the Prime Minister and the President of the Board of Trade. Now, if they analyzed these words, they would find that there could be no such thing as religious equality. They could not have religious equality any more than they could have political equality or social equality. What they could have, however, was religious toleration. He put it to hon. Gentlemen opposite, whether, even if it were possible, they would have religious equality by the passing of this clause. Let them go to Italy and to Spain, and study the state of affairs there. ["Oh, oh!"] No doubt the subject was very unpalatable to hon. Members opposite; but he would ask them candidly whether it was not a fact that the Pope of Rome, whose religion they were endowing by this clause, had not over and over again declared that religious equality was opposed to all the ideas of Christianity as entertained by the Roman Catholics, and that he would do all in his power to put it down? On the showing of the Roman Catholics themselves, therefore, there could not be religious equality, and this could not rightly be advanced as an argument in favour of the clause. He hoped the Committee would not affirm the principle contained in the clause, for it would be, as he said, endowing the Roman Catholic Church whilst disendowing that of England.

MR. GILPIN said, he had carefully abstained from expressing a single opinion in the course of the long debate, being willing that the discussion should be carried on, as in the main it had been, by Gentlemen on the front Benches across the table. But he thought the time had come when those hon. Gentlemen on whom undeserved calumny had been heaped should say a word in self-defence. He said this on his own behalf and on behalf of Protestant Dissenters in the House. The hon. Gentleman who had just sat down (Mr. Fielden) invited them to go to Rome and to Spain; but if he (Mr. Gilpin) went to either of those places it would be to see an example to avoid, and not to follow in a dominant religion the principle of which he abhorred. The lesson he would learn from this was a very different one from that which the hon. Gentleman had learned. Hon. Gentlemen on the opposite side seemed to think that the Nonconformists were doing damage by supporting a Bill containing such a clause as that under discussion. Now the truth was that these hon. Gentlemen supported the Bill because they believed that it would promote the cause of Protestantism. They supported the Bill because they believed there was a difference between Protestantism and pelf. They believed that Protestantism was quite able to hold its own against any hierarchy in the world, Roman or otherwise, that might be opposed to it. All that was requisite for the achievement of this object was to give Protestantism a fair field and no favour. No such insult had recently been offered to Protestantism as was embraced in the words recently uttered by the Leader of the Opposition, when he declared that, if State support were removed from the Church of England and Ireland, that Church would be overshadowed by the Church of Rome, on account of the learning of her priests and the superior discipline and organization which prevailed among her members. For his own part he anticipated no such thing—quite the reverse. The hon. Gentleman who had last sat down declared that there was no such thing as religious equality; but he begged to tell that hon. Gentleman that there was, there must be, and there should be such a thing. The hon. Gentleman was himself a Dissenter, and must know that religious equality was possible. He would not have troubled the Committee with any words upon the clause had he not been anxious, as far as one honest voice could do it, to remove the stigma that was being constantly cast upon Dissenters by hon. Gentlemen on the other side, as if Dissenters could not, whilst denouncing the dogmas of their Roman Catholic brethren, still recognize these brethren as fellow-subjects entitled to the same privileges as themselves. For himself, while heartily supporting the Bill, he dared in all modesty to put his Protestantism on a par at least with that of the right hon. Gentleman the Member for Buckinghamshire.

MR. STEPHEN CAVE said, as the House seemed disposed to debate the principle of the clause on that Amendment, he should like to say a few words.

He had taken no part in these discussions since he had, on a former occasion, expressed his views on the principle of the Bill. That principle having been unfortunately carried he had preferred leaving the details to be debated by those who had more practical knowledge of the subject than himself. He was well aware that all protests would, at this time of day, be fruitless. But he could not reconcile it to himself, as a strong Protestant, nor would it be respectful to his constituents—a great majority of whom felt very deeply on this question—that he should give a silent vote on what was a question of principle rather than a simple matter of detail. He passed by the mere amount of the payment, though this certainly appeared excessive when compared with the proportion of property restored to the Protestant Church. Upon that he would merely remark that, when the tenure of the two bodies was considered, the arrangement seemed much as if a railway company taking land compulsorily compensated on the same terms a freeholder and a yearly tenant. Nor would he enlarge upon the objectionable plan of parting with all control over the money, but pass by these as minor though important points, and come to the propriety of endowing openly, and almost ostentatiously, out of the property of a Protestant Church, an establishment for the formation and maintenance of a body of men, who, if true to their creed and their vows, would be the bitterest enemies of that Church. He was not alluding, of course, to individuals. He was well aware that, in the case of individuals, Christian charity neutralized, or at least modified, differences of religion, but no Roman Catholic priest, if he agreed with the supreme head of his Church—who he was ready to believe was himself more severe in doctrine than in practice—no Roman Catholic priest who carried out literally the orders of the head of his Church could exercise toleration or feel anything but abhorrence for those of other creeds. Therefore, it was a very strong measure, not only to cut short the Protestantism of Ireland, not only to deprive her of the means of grappling with her opponent, but to furnish that opponent out of her spoils with materials for fresh triumphs; spoils not fairly won, but wrested from her by these who profess, no doubt with all sincerity, to be her best friends. It would have been at least some mitigation had the surplus been paid at once into the Exchequer, and the arrangement with Maynooth made a separate and independent transaction. Had hon. Members considered what a grievous blow and heavy discouragement this measure would be to Protestantism and Protestants all over the world? These would not understand or inquire into details; they would simply hear that funds which had hitherto maintained a Protestant clergy had been handed over for the maintenance of Roman Catholic priests. An argument had been founded on the case of Trinity College. That case might be answered when it was brought before the House; but there was a great difference between them, a difference which had made many Roman Catholics desire a Roman Catholic College, freed, in some measure, from the influence of the priesthood, in which priests and laymen might be educated together. Whatever might be said about Trinity College, it was, at any rate, free from that narrow exclusiveness which was the invariable characteristic of establishments confined to pupils who were in training for one profession alone. It seemed to him that those who pressed forward these measures for religious equality with the object, in which all must sympathize, of allaying discontent, forgot that by constitution this was a Protestant nation, and that our Protestant constitution never had and never could take cognizance of religious majorities or minorities in particular districts; and that, to make equality absolute, the Bill should go much further, because it was undoubtedly a grievance, though perhaps a sentimental one—but they had been warned not to disregard sentimental grievances—and a badge of inferiority that a Roman Catholic should be the subject of a Sovereign who could never under any circumstances be a professor of the same religion as himself. If he might say one word to the Presbyterians and Protestant Nonconformists, through whose aid this measure was being carried, and who used to feel so strongly on this question of Maynooth, it would be this—Let them consider whether in pulling down an Establishment they disliked they were not setting up another which regarded them with far more hostility than it did the Church over which they were triumphing—the Church which had hitherto stood between the two extremes. Let them remember the fable of the horse and the stag, and let them beware lest, in consenting to the permanent endowment of Maynooth, they should be taking the most effectual means of recruiting the army of devoted, though mistakenly-devoted, men, who would issue from her walls resolved to sweep, not Episcopalianism, not Prelacy, but every form of Protestantism from off the face of the country.

Mr. PEASE said, he would not have spoken in this debate had he not been struck with the remarks which had fallen from the right hon. Gentleman who had just sat down (Mr. Stephen Cave). He would remind the Committee of the speech of the present Governor General of India last year. If he recollected rightly, the noble Lord (the Earl of Mayo), as the mouthpiece of the late Government, proposed to endow a Roman Catholic Universty, with the stipulation that the governing body of the University was to be partly of laymen and partly of priests, but exclusively of Roman Catholics. He added that the State was to be appealed to for the payment of the officers and Professors of that University, and probably hereafter for the endowment of scholarships within it. Now, forsooth, the Opposition raised a great cry at the proposal to keep up the establishment of Maynooth. The only point against the clause which had weighed with him was the alleged impropriety of taking Protestant funds to endow a Roman Catholic Church. But, on consideration, he had come to the conclusion that it would be more proper to divide the Church funds among the Christians of every denomination in Ireland than to keep them exclusively in the hands of that branch of the Christian Church now enjoying them. Besides, he was glad to find means proposed of bringing the annual contest on the Maynooth Grant to an end; no better or more consistent means for the end could be suggested than that of handing over to the College a lump sum as compensation, as was proposed in the Bill.

Sir JOHN PAKINGTON said, he did not intend to enter upon the general question, but merely to explain in a very few words the vote which he intended to give upon the Motion now before the House. If he voted for the Motion of the hon. Gentleman opposite (Mr. Whalley), he did so not upon the ground of any effect which he thought the clause would produce upon the Roman Catholics of Ireland, but because, in his opinion, all the provisions with regard to Maynooth contained in the Bill were distinguished by undue favouritism of the Roman Catholic Church and undue injustice to the Protestant Church of Ireland. He thought the right hon. Gentleman opposite had altogether failed to justify the principle upon which the clause had been drawn. He referred to the 4th Resolution passed last year, but he (Sir John Pakington) begged to remind him that the concluding words of that Resolution referred to the personal interests of those who held office in the College of Maynooth. There was nothing in the wording of that Resolution pointing to a general provision of the kind embraced in the clause, and providing an endowment for the Roman Catholic College of Maynooth at the very moment they were withdrawing all endowments from the Protestant Church. If one word more than another characterized this Bill it was its injustice. Only the other night the Prime Minister, in tones of peculiar emphasis, said—"If this Bill is not just, in God's name let it perish!" He called upon the right hon. Gentleman to prove that this proposition was just. He (Sir John Pakington) contended that the measure was unjust above all in its provisions with respect to the College of Maynooth. The question was whether the College of Maynooth was to receive a sum of money fourteen times the amount of the annual sum now voted. To what purpose was this amount devoted? He believed it was devoted to the College in various respects, for assuring salaries to Professors, and for maintaining and educating pupils in the College. It was proposed to compensate the pupils on the scale of fourteen years' comulation, but that was a longer time than the students spent in the College, and, as regarded many of the pupils, their term was drawing to a close. Why should the Roman Catholic body be treated on a totally different footing from that accorded to the Protestants of Ireland? Then there was the question of the allowance of the building expenses. A different mode of treatment was manifested again between the treatment of the Roman Catholics and of the Protestants. To the Roman Catholics there was to be a remission of the building debt, but the Protestant clergy were to be compelled to purchase their glebes. The Protestant Church was to be called on to pay every shilling spent on their glebes, while the charges in the case of Maynooth were to be remitted. He called, therefore, upon the Government to answer the charge he made against them—that their conduct was characterized by gross partiality and injustice. The building of Maynooth was to be given up to Roman Catholics; but the Protestants were to be deprived of their glebes, unless they purchased them. Therefore, he said, this was not a just provision. The arrangement did not bear out the language which was used by the right hon. Gentleman at the head of the Government, and, both in this respect and in other respects, it was so unjust, that, to use the language of the right hon. Gentleman, it ought to perish.

Mr. CHICHESTER FORTESCUE submitted to the Committee that the most convenient course would be to dispose at once of the Amendment of the hon. Member for Peterborough, from which they had allowed themselves to be drawn away for more than an hour past. The question of giving a lump sum to Maynooth College was dealt with in a subsequent part of the clause. The question before them was simply—"Is it our duty to destroy the corporate character which Maynooth has for many years enjoyed?" He thought not. The Government thought that having severed for ever all connection between themselves and Maynooth, it was not desirable to deprive the College of that corporate character bestowed on it by Parliament many years ago. That was the whole question the Committee had to decide. The Government would be quite prepared to meet the right hon. Gentleman (Sir John Pakington) on the general question of equality when that arose. He thought the right hon. Gentleman had made that confusion which characterized the speeches of hon. Gentlemen opposite—that of mixing up the question of compensation to a clergy ceasing to be endowed, with that of compensation to a College and theological institution. The Government contended that if its Bill had left Maynooth absolutely untouched, and in possession of all its advantages, there would have been no inequality in the mode of treating the two Churches. They would simply have reduced the clergy to the condition of a disestablished and disendowed clergy, which was the condition in which the Roman Catholic clergy had been and continued to be; and the Established Church was left in the full possession of the advantages for the education of their clergy which they derived from the rich endowments of Trinity College, Dublin. Maynooth was not a College in possession of ancient endowments; for they knew that the endowments of the Catholic Church had been taken away, and that Maynooth had been cast, so to speak, on the charity of the British Parliament. If it had not been for that connection of Maynooth with the State there would have been no occasion for Parliament to take notice of Maynooth. He maintained that there was no inequality in the mode of dealing with the two Churches. The question now, however, was whether, having put an end to all connection between Maynooth and the State, Parliament should deprive Maynooth of that corporate character which she possessed by Act of Parliament.

Mr. WHALLEY said, that if Members of the Government had used the language at the late elections which they had used since their accession to the House the result of the elections would have been different. The right hon. Gentleman at the head of the Government had said, in the most emphatic manner, that he would not do that which the right hon. Gentleman opposite had asserted that it would have been quite reasonable for them to do. The issue was this—that Parliament understood from the right hon. Gentleman last year that the Maynooth Grant Act would be abolished. ["Oh, oh!"] He asserted that the right hon. Gentleman used that language. Did the country understand that the Act for endowing Maynooth would be abolished? He said that the country did, and that it trusted to the faith of Parliament and to the statement of the right hon. Gentleman.

Lord JOHN MANNERS said, that, in former years, when the Governments of the day proposed what he conceived to be a just and liberal course towards Roman Catholics in Ireland, he had been ready to support them, and had not shrunk from vindicating that policy on the hustings, because he conceived it to be compatible with the maintenance of the rights of the Church. Therefore he approached the question raised by the hon. Member for Peterborough without the slightest prejudice; indeed, had the Government given a satisfactory reason for opposing the Amendment, he would have been prepared to follow the Prime Minister into the Lobby; but he could not believe that the Established Church and the College of Maynooth had been treated with impartiality. He ventured to suggest that the analogy instituted by the Chief Secretary for Ireland was not correct. There would be no continuing corporation in the case of the Irish Church, simply because he had destroyed every ecclesiastical corporation existing in Ireland in connection with the Established Church, and had by that operation made it necessary to establish the Church Body. The Government had sought to restrict within the narrowest bounds the powers accorded to that new corporation. Of what sort were the terms upon which it was proposed that the Church Body should be enabled to hold property? They were of the most stringent description; and the holding of land in connection with glebes was to be restricted to ten acres, and in connection with episcopal residences to thirty acres. Unless he was much mistaken, Maynooth would stand in this position hereafter—that all bequests of money might be made to it to an unlimited extent, and bequests of landed property might be made to it to the extent of £3,000 a year. He was not saying that Maynooth ought not to stand in this position; but he did say that they ought to mete out the same measure to the Established Church. If equal justice was to be done to all parties, why did not the Government propose to abolish the existing corporation of Maynooth, and bring forward a scheme for the creation of a new corporation, with such powers as Parliament and the Sovereign might be advised to grant it? He thought that equal justice was not done by this Bill, and that the Amendment of the hon. Member for Peterborough was one that could not be resisted.

THE LORD ADVOCATE said, that whatever the amount of money was that should be paid into Maynooth, the immediate question before the Committee was whether Maynooth was to be made a corporate body or not. The noble Lord (Lord John Manners) was a party to the Act of 1845, incorporating the College of Maynooth, and authorizing it to hold property and to receive bequests. Now that Maynooth was to be dissociated from the Government, was it reasonable or was it unreasonable that the College of Maynooth should have the same powers of management, the same powers of holding property, and of administering the funds, whatever they were to be, that were granted to similar institutions throughout the country of far inferior magnitude? No injustice was done to the Church Body, which, under this Bill, would have a power of holding property to a larger extent than Maynooth. The proposal of the Government was not only not an endowment to the Roman Catholic Church, but it had not the slightest resemblance to such an endowment. It was simply a commutation or compensation to an institution for funds hitherto voted by Parliament and paid out of the Consolidated Fund. He hoped the Committee would have no hesitation in negativing the Amendment.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—The Tellers being come to the Table, reported the numbers Ayes 323; Noes 196.

Whereupon Mr. Synan, one of the Members for the County of Limerick, stated that he had been in the House, and having heard the Question put, had declared himself with the Ayes, but had been accidentally shut out from the Division Lobby:—The Chairman accordingly added his name to the Ayes, and declared the numbers Ayes 324; Noes 196: Majority 128.

MR. GLADSTONE moved, to insert in line 38, after "repealed," the following words:—"save in respect of any pecuniary and individual interests at present existing." The introduction of the words would not make any difference in the clause; but would merely explain its true legal construction, because gentlemen connected with the College of Maynooth required a more distinct expression of it.

Mr. HENLEY said, that, as he understood the Bill, in a year or two's time the Maynooth Acts would be repealed, and it was proposed to give a lump sum of money instead of the annuities secured under the Maynooth Acts. He should be glad if the right hon. Gentleman would explain what interests were to be kept alive, and out of what source they were to be paid hereafter.

Mr. GLADSTONE said, that they looked upon the Maynooth Act as having created vested interests which it was difficult to take notice of individually, as they were not in communication with the parties concerned, their dealings only being with the Trustees. The Act by the 4th section prescribed that a sum of £6,000 should be set apart for the salary of the president, vice-president, and officers, and in the Schedule there was a provision for certain pecuniary payments on behalf of the senior students and of a large number of free students. The life interests were not confined to money payments, because the interests derived in kind were just as real as those derived in money; all these were kept alive by the terms of the Act, and there was no fund out of which they could be satisfied of which Parliament had cognizance, except the fund to be provided by the Bill.

Mr. HENLEY said, that, for anything he could see to the contrary, the money it was proposed to grant might be sent to the Pope or anyone else; and the question might naturally arise, if the Act kept alive certain pecuniary interests, whether they had not given some pledge to those persons for whom they had provided means to satisfy their claims, that Parliament should still acknowledge them as *quasi* vested interests. To whom were those parties to come whose interests would be thus kept alive for payment of their demands?

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan) said, that at present the president, vice-president, and Professors, had, in respect of the money voted by Parliament, a claim for their salaries, as against the Trustees, to whom the money was paid. The annual grant was to be commuted into a bulk sum to be paid by the Trustees, who, no doubt, would take it settled with a trust for the purposes of the institution. The president and vice-president wished the proposed addition to be made in order to show that the individual interests were a charge upon the bulk sum.

Mr. HENLEY: Would the right hon. Gentleman pledge himself to Parliament that no claim on the country should afterwards arise on account of this provision? [The Attorney General for Ireland: Hear, hear!] He (Mr. Henley) confessed, as far as he could read the proposed Amendment, it appeared to him to raise a great doubt as to the extent to which those claims might be hereafter pushed.

Mr. SINCLAIR AYTOUN wished for an explanation of the explanation of the Government. The right hon. Gentleman said that, by inserting the proposed words, they would preserve the interests of certain officers provided for under the Maynooth Act by Sir Robert Peel. He (Mr. Aytoun) saw nothing in that Act to preserve the rights of such gentlemen. It only said that the president and vice-president should receive money; but had not the Trustees the right to change them whenever they liked?

Mr. NEWDEGATE remarked, that a serious question arose out of the words quoted by the right hon. Gentleman at the head of the Government. It appeared that the operation of those words would not be confined to the mere Professors of Maynooth, but would extend to the senior and life students—to the Dunboyne establishment and the free students. Although he might be told that the rights under vested interests would not extend beyond the lump sum that might be granted, nevertheless the possibility of those rights being claimed by a far larger number of persons than at present apprehended might raise a question of considerable doubt and difficulty.

Mr. CONOLLY suggested that it would be the better course to re-enact a clause to remove all doubts upon this matter.

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan) said, by the present Bill it was proposed to repeal the 4th and every other subsequent section of the Act of 1845; therefore, if the Bill passed, no further sum would be payable under the Act of 1845 to the Trustees of Maynooth. The 4th section of that Act in substance set apart a sum not exceeding £6,000 for the payment of the president, vice-president, and Professors. If their individual and pecuniary vested interests were not preserved in the annual sum, the Trustees would not be answerable to the Professors for their salaries—that was, they would not take the bulk sum charged with the trust for the payment of the salaries; and the object of introducing the words "save in respect of any pecuniary and individual interests at present existing" was to enable the Professors, who had a claim against the Trustees, to the extent of £6,000 a year at all events, to obtain their salaries. The only claim they could get under these words was the claim they had without them. It was considered they were entitled to the protection which these words would afford them for the continued payment of their salaries out of the bulk sum.

Mr. SINCLAIR AYTOUN asked, whether the Maynooth Act gave any such security? He understood it simply said that £6,000 a year should be devoted to maintaining certain officers, and it did not say they were not to be changed.

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan), replied, that the words of the Bill gave the Professors no higher right than they had under the Act of Parliament. If they had a right the Bill would give it to them—if they had not, the Bill would not give it.

Mr. CAWLEY participated in the doubts entertained as to the words not going considerably further than was suggested by the hon. and learned Gentleman. This was a repealing Bill, and it would repeal the Act, save in respect of any pecuniary and individual interests at present existing. There might be interests, held to be such, as against the Consolidated Fund, and, if so, it was clear, they were not repealed. He would suggest that the present difficulty would be cleared up by addding to the proposed Amendment the words, "against the Trustees."

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan) said, there was no objection to add them.

Mr. CONOLLY said, he did not think that the Amendment would prove satisfactory; the Professors should be named in the Bill if they were to receive this compensation.

Mr. PERCY WYNDHAM said, if the words would carry out, what they professed to carry out one of the principal objections he entertained to the present proposal would be taken away. He concurred with the hon. Member for Kirkcaldy (Mr. Aytoun) in thinking it important that they should clearly understand what those existing interests were which were protected by the Maynooth Act.

Mr. GLADSTONE: Whatever protection they have will be kept alive by these words against the proper parties —namely, the Trustees under the Act. Perhaps it would be well that these words should be further considered by the Government at their leisure. I believe the words will be found to be perfectly safe and unobjectionable; but, before the Report, we will take care to arrive at a perfectly clear conclusion.

Mr. HENLEY said, he was glad the right hon. Gentleman would take that course, because it was clear the words had not been designed to give the parties a claim as against the Trustees. All he (Mr. Henley) wanted was that no claim should arise hereafter, and he believed the right hon. Gentleman was as anxious to stop that game as he was.

The O'CONOR DON said, there seemed to be a misconception as to the actual powers under the Maynooth Act. The Trustees had the power of passing statutes to be approved of by the visitors and the Lord Lieutenant. The statutes, once adopted, became binding upon the Trustees, and he believed they had no power to remove the Professors, save for misconduct.

Words *added*.

Mr. SINCLAIR AYTOUN consented, at the instance of the right hon. Gentleman at the head of the Government, to postpone some verbal Amendments, of which he had given notice, for the purpose of allowing the Committee to proceed at once to the discussion of the more important portions of the clause.

Mr. GLADSTONE explained that the Government had been under the belief that there were only two Widows' Funds in existence in connection with the Protestant Nonconforming bodies. They found, however, that there were four, or even more, Widows' Funds existing, and certain verbal Amendments accordingly became necessary. The right hon. Gentleman moved, in page 19, line 3, after "Association," to insert—

"(2.) In respect of the several annual sums paid out of the *Regium Donum* to the said Association, and also to the trustees of the Widows' Fund of certain Protestant Nonconforming bodies, commonly called the Secession Widows' Fund, respectively, on account of vacancies in the office of minister in their several congregations respectively, such sums to be ascertained on such average as aforesaid, by payment of the capital sums hereinafter mentioned to the said Association and trustees of the said Secession Widows' Fund respectively. (3.) In respect of the several sums paid annually by ministers in receipt of *Regium Donum* to the said Widows' Fund respectively out of their first year's income derived from the *Regium Donum*, on an average of seven years next before the passing of this Act, by payment of the capital sum hereinafter mentioned to the said Association and the said trustees respectively."

Amendments *agreed to.*

MR. GLADSTONE said, he proposed to insert words to make up for the 37th clause, which was struck out last night. He moved the following:—

"In respect of the buildings of the said College, a sum not exceeding fifteen thousand pounds to trustees to be appointed as last aforesaid."

MR. NEWDEGATE asked the right hon. Gentleman the Prime Minister to explain the first part of the Amendment with respect to the £15,000.

MR. SINCLAIR AYTOUN asked for some information as to what was going on at the table. In the part of the House where he was sitting neither he nor his Friends could hear one word of what was passing.

MR. GLADSTONE: My hon. Friend, I am quite sure, heard the Chairman perform his part, because he read out the clause with his usual clearness. I did refer to these words, and explained their general object in the opening speech on the Bill, and, therefore, I was unwilling to inflict on the Committee a second explanation. The state of the case is this—this is a grant given to Presbyterians—not the Roman Catholics —in respect of the College of Belfast. But when I say in respect to the College of Belfast, I must not be supposed to do more than indicate that its acknowledgment on the part of the Government who make the proposal—and I think it will be on the part of the Committee if they adopt it—that the conditions of this educational establishment do require some allowance to be made in order to enable those who are interested in it to effect the transition they have got to make in a satisfactory manner, over and above the mere payment of the life interest of the Professors, because the sum of £15,000 which we understand is not very far from the cost of these buildings—and those who are so disposed may make out a parallel if they like to the buildings of Maynooth—a great part of which was erected originally at the cost of the State. But if the Government is asked why they thus apply this money, their answer would be that, with respect to an establishment like the Presbyterian College, it would be very hard, we think, at a time when the Presbyterians are called upon to make provision for themselves more than they have heretofore had to make, we were not to give them something so as to smoothen the process of transition.

MR. SINCLAIR AYTOUN said, he did not acquiesce in this capital sum being given to the Presbyterians; and if his Amendment with respect to the Roman Catholics were carried, he should propose to extend it to the Presbyterians.

MR. WHALLEY said, he was, in no sense, authorized to speak in behalf of the Presbyterians; but, from the discussion of last night, it appeared there were two classes of Presbyterians—one the Liberal class, who had put themselves in communication with the right hon. Gentleman and others on the Ministerial side of the House, and another class who adopted the views of hon. Gentlemen opposite. ["Divide!"] He might fairly be allowed to say a word in favour of the former. He protested against the Amendment as a reflection on their want of confidence in their own power of maintaining their own form of religion, and he repudiated for them any assistance from the State. The proposal was a very serious defection from the principle upon which the country had accepted this change. It was, in fact, a kind of levelling up.

MR. PERCY WYNDHAM said, he thought it somewhat remarkable that they had heard nothing of this proposal before, and that at the eleventh hour they were called upon to agree to this grant to the Presbyterian College of Belfast. It appeared that this proposal was a makeweight to the policy of the right hon. Gentleman with regard to the Roman Catholics, and a justification of the manner in which he proposed to treat them. He believed he spoke the sentiments of those around him, when he stated that it only brought out in more glaring contrast the manner in which he proposed to treat the interests of the Protestant Church in Ireland.

Mr. GLADSTONE said, that the hon. Gentleman did the Government an injustice if he supposed that their intention had been suppressed. Not only in the Bill, but in his opening speech, he stated that, if the principle of the capitalization of the sums granted to educational establishments were admitted, it would be necessary to give the Presbyterians the same consideration in respect of the money invested in buildings in Belfast, subject to a maximum of £15,000.

Mr. HENLEY wished to know whether the effect of the Amendment would be to increase the whole amount of the Parliamentary Grant that had to be capitalized?

Mr. GLADSTONE said, there would be no increase of a sensible character. It was quite possible that the fourteen years' purchase would create an increase of £1,000, and the provision for the Widows' Fund might lead to a small increase of £200 or £300 a year. But there would be no substantial increase.

Mr. WHALLEY said, that all these alterations were confounding and confusing. He complained that the Amendment would be objectionable to the Presbyterians.

Mr. GLADSTONE said, it was proposed at their own wish.

Mr. WHALLEY said, he must enter his protest against the Amendment.

Amendment *agreed to.*

Mr. GLADSTONE moved the addition of the following words:—

"In respect of the annual sums granted by Parliament for the salaries of the Theological Professors of the non-subscribing Associations of Presbyterians, by payment of the capital sum hereinafter mentioned to trustees to be appointed in each case by the Professors and Presidents of such Associations."

Mr. WHALLEY said, that this clause, as amended, would work an extreme injustice. The Government took this course in order to cover their mode of dealing with the Roman Catholics. He believed that the extension of the principle to the Presbyterians was an afterthought.

Amendment *agreed to.*

Sir GEORGE JENKINSON moved, in page 19, to leave out first part of section 4, from line 15 to line 20, which required the Commissioners to pay a capital sum to the Trustees of Maynooth, instead of the annual grant. Although he desired to act up to the Resolution of last Session, requiring the grant to Maynooth and the *Regium Donum* to cease, due regard being had to personal interests, he objected to the capital sum being paid out of the funds obtained from the Protestant Church. Was it just to give £400,000 to Maynooth, after the protestations of the right hon. Gentleman of last year that none of the Church property should be given to other religious bodies?

Mr. C. DALRYMPLE said, that nothing on the part of Her Majesty's Government was more dextrous than the manner in which the arrangements about Maynooth and the *Regium Donum* were made to stand or fall together. If the proposals about Maynooth were pronounced too favourable, they were liable to be met with charges of bigotry and of being enemies of religious equality; and if, on the other hand, objections were made to the arrangements in the Bill about the *Regium Donum*, they might be accused of grudging the compensation to Presbyterians. Neither of the charges was justly founded, for the real complaints were, as to the source from which the compensations in each case were to be drawn, and the insufficiency of the provision for the clergy of the Established Church. Upon more than one occasion the silence of Roman Catholic Members on the Government side of the House had been commented upon; but why should they speak when the Government was promoting all those objects which Roman Catholic Members must necessarily favour, at a time, too, when the Protestant Church looked in vain for the slightest consideration? Although the Roman Catholics, in this matter of silence, showed their companions below the Gangway on the other side an example of good taste, he could not understand why anyone should expect them to take part in the debates. The proposals of the Government professed to be in the interests of religious equality; but, in his opinion, there was great danger, amid the clamour for religious equality, of imperilling what was much more precious, and that was religious toleration. This they had already, and he trusted they would always have it;

but religious equality in the sense in which it was now demanded, he doubted if they could ever have, so long as this was a Protestant country, with a Protestant Crown and a Protestant people. The Committee had been making free to a very great extent with other folks' money—to use an expression of the Chancellor of the Exchequer—and had been setting an example, in their mode of dealing with the rights of property, which the Government would perhaps see imitated in a manner they did not at present anticipate. On the subject of the building charge on Maynooth, he reminded the Committee of a declaration of the Prime Minister on Monday week, when he said the charge arose from a breach of faith on the part of Parliament, and that doubtless an allowance of a charge for the repairs of Maynooth was a part of the arrangement, made by Sir Robert Peel. It had been granted to some men to be extremely far-seeing; but was it to be supposed that Sir Robert Peel ever anticipated the Irish Establishment would be so despoiled and stripped that Maynooth could be furnished out of its funds with a capital endowment and have its building debt discharged besides? He supposed that the Bill of the Government did not profess to be consistent with its Preamble, and no one, he hoped, would suppose the grants made to the Presbyterians and Maynooth were consistent with repeated pledges of the Government that the money of the Establishment should not be given to other religious bodies. Notwithstanding these repeated declarations and the wording of the Preamble of the Bill, the Chief Secretary for Ireland had said he was almost ashamed of the small pecuniary advantage which the Roman Catholics derived under the Bill. Small pecuniary advantage! when that which was promised again and again was that no portion of the funds was to be given to any religious body. Nothing, he believed, had a greater effect towards producing the majority for the Government than the security felt by the Protestants that the money of the Church would not be devoted to the Roman Catholic Church. Much had been made at the General Election of the subject of Maynooth, and many persons were deceived into believing that the grant to Maynooth was to be withdrawn altogether, an error for which there was much excuse. The Prime Minister had never stated explicitly what would be done with the funds; he had dealt in generalities. As an intelligent man, a baker, had said to him when canvassing in the autumn, he had read the speeches of the right hon. Gentleman from beginning to end, and had been unable to discover what he proposed to do with the funds of the Church; but he expressed satisfaction in the belief that none of the money would go to the "endowment of the Papists." He charged those hon. Members who had allowed such a belief to be entertained, for the sake of a spurious counter-Protestant cry, with having dug up a root of bitterness which he had been led to think had been buried. The audacity of inconsistency in this matter would be ludicrous were it not disgraceful. Much as he deplored the probable results of the measure, and greatly as he wondered at the views of justice and of injustice of which the right hon. Gentleman —no doubt with all sincerity on his part —was night after night the patient and eloquent advocate, he would be almost content to see it successful but for the misrepresentation and shuffling which formed the most unlovely phases of the treatment of this great question, upon which the country had been invited to pass judgment, amidst the unseemly turmoil of a General Election.

The O'CONOR DON said, that the hon. Member who had just sat down had so pointedly alluded to the Roman Catholic Members in that House that he must be excused for saying a few words upon the Amendments now before the Committee. The clause was so long that it was difficult to know in which part of it the question of the Maynooth compensation was directly involved; but he thought that the clause had now arrived at such a stage that the general policy of the proposal of Her Majesty's Government with respect to the Maynooth compensation might be conveniently discussed. It appeared to him that considerable misapprehension existed, both in that House and in the country, with respect to the terms upon which this clause proposed to treat the Roman Catholics. It was supposed that those terms were to be of the most favourable character, and it had been stated that the right hon. Gentleman dare not treat the Roman Catholics as he had treated the Anglicans and the Presbyterians. He, however, emphatically denied that the Roman Catholics were to be shown any favour whatever in the matter; and, more than that, he asserted that they would decline to accept any such favour. The sterner, the more strict, and the more rigidly just the measure was, the more satisfactory would it be to the Roman Catholic, who only desired equality of treatment for all parties. This clause the Committee should remember was a disendowing clause; and, so far from the Catholics being treated with any peculiar advantage in this disendowment, he maintained that they were treated with exceptional unfairness in having the grant to Maynooth included at all in this Bill. The question now before the Committee was not one relating to a religious, but to an educational endowment, and the particular partiality shown to the Catholic body by this Bill, was that the educational endowment of the Catholic College of Maynooth was to be withdrawn, whilst the educational endowments enjoyed by Trinity College and the University of Dublin were to be left untouched. Trinity College and the University of Dublin afforded to the Anglican Church the means of educating their clergy. Trinity College possessed enormous endowments, it had attached to it a divinity school, in which nearly all the Protestant clergy of Ireland were educated, it possessed large Church patronage; and this Bill not only leaves it in possession of all its endowments, but proposes to hand over a large sum as compensation for the loss of the Church patronage, which the carrying of this measure necessarily entails. If favour were shown to any religious body in this treatment of endowments for the education of the clergy it was not to the Catholics but the Anglicans; and, considering that Trinity College was left intact whilst Maynooth was sacrificed, he felt surprised at hearing so often the statement that the Catholics, as regards Maynooth, were treated with exceptional kindness. He was not, however, going to open up the question whether the Maynooth Grant should be included in this Bill. That question had been settled last year; and no matter how much he might consider the settlement partial and unfair to his co-religionists, yet neither he nor they would raise the question if it in any way imperilled the success of this Bill, which they considered a great measure of justice. Admitting then that the grant to Maynooth should be withdrawn, the next question was whether the Catholics were treated with undue favour in the mode by which this was accomplished. It was stated that they were. It was stated that more than vested life interests were respected in their regard, whilst, as regards the Anglican Church, the hard line of respecting nothing but personal interests was strictly adhered to. But was this the fact either in the one point or the other? In the first place he denied that, with regard to the Anglican Church, vested rights alone had been respected. If these only had been respected the clergy of the Church would merely have received their incomes during their lives, and as they died off the undiminished Church revenues would have passed away to public purposes. But was that the proposal of the Bill? Under the Bill every facility was to be afforded for the formation of a Church Body, which body would have the power of dealing with the Government for the commutation of life interests, and thereby means would be afforded for preserving a permanent, though it might be small, endowment for the Church. Again, did hon. Gentlemen forget what was to be done with respect to the churches and the glebes? Was nothing respected here but life interests? He denied it; and, therefore, even if something more than mere life interests had been respected as regards Maynooth, the same principle had been carried to a far greater degree in the case of the Anglican Church. What was the proposal of the Government as regards the Maynooth Grant? He at once admitted that the amount of the compensation to be awarded for the withdrawal of that grant was calculated on a different principle from that adopted in the case of the Anglican clergy. This difference arose out of the very necessity of the case. It was a very easy thing to determine the value of the life interest of a country clergyman having a freehold interest in a certain income for his life, and bound in return to discharge certain duties. The cases of the Professors and students in an endowed College were very different. What, for instance, was the interest of one of these students? Recollect the principle of the Bill as regards the clergy of the Established Church was that they should receive the full value of their freehold interest, but should, in return, be bound to discharge all the duties attached to it. How was that to be applied to the students and Professors of a College, which, so far as the State was concerned, was to be abolished? The vested interest of the student was a right to be maintained, lodged, and educated free during a certain number of years, and how could he be compensated except by paying him that amount of money which would provide for him outside the College, all that was provided now for him within it. And what cost would this entail? He believed that, if sent into the world to provide for himself individually, it would cost the Maynooth student at least three times as much as his present maintenance in Maynooth. The ordinary Maynooth course is eight years, but taking the average course for all the present students at five years, the Committee would see that three times five or fifteen years' purchase should, if he were right in his calculation, be paid to the students for the withdrawal of the grant. But, supposing this were agreed to, would the principle of the Bill be carried out? If the money was given in this way the student might squander it away on his own pleasure and not devote it to his education. The payment in this way could not be accompanied by any condition of a discharge of any duty, yet this was an essential principle in the treatment of the Established Church clergy. Neither the Professors nor the students in Maynooth had any right to compensation, except upon fulfilling the conditions upon which the grant was made, and it would be impossible to attach these conditions to annuities paid to individuals when the institution was broken up. The only possible way of carrying out the same principle as regards Maynooth, which was proposed with respect to the Anglican Church, was the proposal in the Bill—namely, to calculate the gross amount that should be paid by way of compensation and to hand it over to the Trustees of the College—the only body with which Parliament had anything to do, and then let them be bound to see that the funds were administered for the purposes for which they were granted. The Trustees might be able to require the discharge of a duty as a condition of the payment, but the Government certainly could not, and therefore he said that to compare the position of the Maynooth Professors and students with that of the clergy of the Anglican Church was to compare two positions not in any way similar. Then, again, there was no right more clearly recognized than the right of the Church Body to enter into arrangements which might be advantageous for its own interests; and he wished to know whether the Roman Catholics were not to be allowed the same rights. Further, he would remind hon. Gentlemen opposite that though Trinity College was not in this Bill, yet the case of that College was postponed, not decided, and if objections were made to the course of the Government, they would be raising ugly questions, which would be brought against that institution at some future time. He thought hon. Gentlemen ought to be cautious what course they took in this matter; they ought to remember that this was not a religious but an educational endowment, and that, while it was interfered with, other similar endowments in Ireland were left untouched. He expressed his belief that the Roman Catholics were not treated with any partiality, and that they would be willing to exchange positions with the Anglicans. Believing that the proposal of the Government was not only a reasonable one, but the only one which could have been adopted in conformity with the other clauses of the Bill, he should give it his support.

MR. GLADSTONE said, he did not know whether it was the intention of the Committee to prosecute the debate, and decide the question upon the Amendment of the hon. Baronet (Sir George Jenkinson), or whether it was the desire of the Committee rather to take the debate and the division upon the Motion of his hon. Friend the Member for Kirkcaldy (Mr. Aytoun). It was desirable that they should come to an understanding upon that point, because the groundwork of the two debates would be precisely the same for every substantial purpose; and he rather believed his hon. Friend intended to move his Amendment. [MR. SINCLAIR AYTOUN signified his assent.] He would suggest that this Motion should now be disposed of, that he should then move one or two verbal Amendments which were necessary to put the clause into shape, and that then they should report Progress on the Motion of the hon. Member for Kirkcaldy.

Sir RAINALD KNIGHTLEY wished to know what was the order of discussion. Suppose the Motion of the hon. Member for Wiltshire were rejected, would the hon. Member for Kirkcaldy be in a position to move his Amendment, which was included in it?

The CHAIRMAN explained that though the Motion of the hon. Baronet the Member for Wiltshire was the omission of four lines which went over the words objected to in the Amendment of the hon. Member for Kirkcaldy, yet that Amendment would be so put from the Chair that when disposed of, it would still leave room for the hon. Member for Kirkcaldy's Amendment and for another that was on the Paper.

Mr. NEWDEGATE said, if they were to decide the hon. Baronet's Amendment now, it would virtually cut the debate, because the speech of the hon. Gentleman opposite (The O'Conor Don) covered the whole ground of the Bill. He presumed that the Committee did not intend that this question of Maynooth should be decided without a fair debate. He did not know whether the hon. Baronet would withdraw his Amendment; but he thought the Committee ought now to report Progress.

Mr. SINCLAIR AYTOUN appealed to the right hon. Gentleman the First Minister to consent to the adjournment of the debate.

Mr. GLADSTONE concurred with the hon. Member for North Warwickshire that this question ought to be fairly discussed. Nothing could be more desirable than that there should be a discussion, but nothing could be more flat or more unsatisfactory than two discussions following one another upon what was virtually the same subject. Therefore, what he suggested was that the hon. Baronet the Member for Wiltshire should allow the Committee to at once dispose of his Amendment, or that he should withdraw it. Then, as he had said, he would move some Amendments of a formal character, and report Progress, and his hon. Friend (Mr. Aytoun) might bring forward his Amendment on Thursday next at half-past four o'clock.

Sir GEORGE JENKINSON said, he was as anxious as any one that this question should be fully debated. His Amendment was one of principle. He objected to any portion of the funds of the Irish Protestant Church being taken to endow the College of Maynooth. These were his principles, and he was not ashamed of them. The Amendment of the hon. Member for Kirkcaldy (Mr. Aytoun) differed from his. That hon. Gentleman proposed to take some of those funds and to partly endow that College with them. There they were at issue. He wanted some expression of opinion from the front Bench on the Opposition side of the House. It was of importance to have an expression of opinion from those who led that party. To that opinion he would defer.

Mr. GLADSTONE said, the hon. Baronet evidently thought it desirable to proceed with his Amendment. [Sir George Jenkinson: I did not say that.] He could not deny that the Motion of the hon. Baronet raised the whole principle; and, therefore, he thought the only course open to them was to take the debate on the Motion he had made.

Sir JOHN PAKINGTON said, there could be no doubt that this subject ought to be fully and fairly debated, especially after the speech they had just heard from the hon. Member for Roscommon (The O'Conor Don). He thought the course suggested by the right hon. Gentleman at the head of the Government would be the better one—namely, that his hon. Friend (Sir George Jenkinson) should withdraw his Amendment, and that the hon. Member for Kirkcaldy (Mr. Aytoun) should move his on Thursday. ["No, no!"]

Mr. CONOLLY contended that the question raised by his hon. Friend the Member for Wiltshire and the question raised by the Motion of the hon. Gentleman opposite were not the same. The large question was raised by his hon. Friend the Member for Wiltshire, to which the other question was entirely subordinate. Therefore, if the hon. Member for Kirkcaldy chose to address the House, he would be within the question before the House, and entirely in Order.

Mr. GLADSTONE rose to move that the Chairman report Progress. He had no choice, and he would only say this—that if they should have to continue the discussion, and conduct it fairly and fully throughout upon this Motion, he trusted to his hon. Friend's kindness that he would not unnecessarily raise a fresh discussion after the Committee had decided the Motion of the hon. Baronet. He wished to give notice that, on the postponed clause, No. 3, he would propose to insert the names of the Commissioners under the Bill. The three names were—Viscount Monck, the Right Hon. James Anthony Lawson (one of the Judges of the Court of Common Pleas in Ireland), and George Alexander Hamilton, Esq.

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

LIGHT DUES.—RESOLUTION.

MR. HEADLAM, in rising to move the Resolution of which he had given notice, said, that the subject he had to bring forward was one which deeply concerned a class which was designated the shipping interest, and which comprised as well all those who had invested their money in the construction of our mercantile marine, as those who in the language of the Psalmist—"Go down to the sea in ships and ply their business in deep waters." The grievance of which they complained was, that, whereas this country more or less effectually discharged the duty common to all civilized nations—namely, the duty of lighting the promontories and dangerous rocks upon our coasts, of sounding the shoals and placing beacons and buoys upon them, and thus marking out the pathway of the ocean, yet—not following the example of other great maritime nations—it imposed the whole cost of the performance of this great duty to mankind partly upon foreign ships and partly upon the ships of our own country. His complaint was two-fold. In the first place, without questioning the merits or demerits of the Trinity House, the shipping interest had good reason to complain—that this great national duty was not undertaken by the Executive, but intrusted to a private body, subject to no control, and upon whom little responsibility was cast—and, in the second place, they had a right to complain that this great duty was not in this country discharged by the country at large, but imposed upon one particular interest. What he asked for was that the Government should, on its own responsibility, undertake this duty; and, secondly, that the cost of the lights upon the shores of the country—contradistinguished from the lights in particular harbours—should be defrayed out of the general revenue of the country. It was impossible to exaggerate the value to the country of the sums expended by the shipping interest in lighting the coast and sounding the ocean along the shores. From the earliest times all the expense of making lighthouses—many of them very costly—all the expense of sounding the ocean had been wholly imposed upon and defrayed by this great interest. But the matter did not rest there. Through the carelessness of the country, the legitimate costs had been increased four-fold. The particular body to whom this trust had been confided had spent sums almost beyond calculation, which had not been invested in the regular discharge of this duty. Moreover, the Government itself had been a party to the most lavish expenditure. He would give a few illustrations of the infinite value of the investments made by the shipping interest for the benefit of the community at large. Let them go back to the past and consider what would have been the navigation round our coasts had it not been for the sums thus invested. Now, a summer voyage round the coast was as easy and pleasant a thing as could be imagined—it was in reality an adventure for any luxurious gentleman in his own yacht, without danger and without difficulty. The coast was made clear for him by night and by day; and were it not for this modern institution—for in some respects it was modern—it would be impossible to conceive the difficulty incident to a voyage of this nature. There was a description, and a most graphic one, given by the greatest of ancient historians, Tacitus, of a voyage made by Agricola round the shores of this island, which showed what it was in those days, when they had to grope out their way in darkness, and how great were the horrors and difficulties of the navigation. Suppose that any hon. Member of that House were to come in his yacht across the Atlantic and were to enter the English Channel he would find that, partly by lights on his left hand and partly by lights on his right, everything was made clear; by knowing a little of the art of navigation he would be able to distinguish exactly where he was, and might by the aid of a good chart, almost know how many fathoms of water he had beneath him: let him turn to the right or to the left and enter any harbour on either side, no charge would be imposed upon him for this great benefit, because the vessel in which he was sailing was constructed for pleasure and not for profit. Or suppose he made his voyage in a vessel of war—a kind of bird of prey, constructed at infinite expense merely for doing mischief to mankind,—whether again he entered into any harbour on the right or the left, no charge whatever would be made. But suppose he came in a merchant vessel, or in one of those great ocean steamers which unite the ends of the earth, and which bring kindness and good-will wherever they go, if he turned to the right and entered the French ports no charge would be made; if he passed further on to any of the shores of Europe the case was the same; but if the vessel turned to the left and entered the Thames or any other of the ports of this country, as soon as the cargo was cleared a bill of cost for the lights would be sent in. How did this state of things grow up? The history of the lighthouses was eminently characteristic of the country. It showed no forethought on the part of the Executive. The Government did nothing to contribute to it. They commenced by granting the privilege of erecting lights along the coasts to the Lord High Admiral. On its surrender by Lord Howard of Effingham means were taken to vest it in one of the great City companies—the Trinity House. They had the power of putting up lights along the coast, and no doubt they did some valuable service, and they spent their money like gentlemen; but they charged the shipping infinitely more than the cost; the surplus they employed partly in badly-administered charity, and partly in very magnificent hospitality. They were subject to no control; no account was taken of their funds, and they acted in the spirit of the times in which they lived. The Government never controlled or investigated the expenditure; but from time to time they made special charters to friends of their own for the erection of private lighthouses along the coast, with powers of indefinite taxation over the ships that passed them. This custom having sprung up, the next question came to be how these proprietors of private lighthouses were to be got rid of, and Government, which had made such improvident grants, considered them as vested rights which ought to be bought up; and the unfortunate shipping interest had to pay not only for the *bonâ fide* work done, but for all the charities of the Trinity House, for all the improvident leases, and for all the hospitality of the Board. Such was the state of things down to 1834, when the subject was taken up by the late Mr. Hume, who well deserved a tribute of admiration for the sincerity, earnestness, and perseverance of his exertions in relation to the lighthouses of this country and the charges on the shipping interest. Mr. Hume grappled most successfully with the subject. He obtained the appointment of a Committee in 1834, which did eminently good service. Then first commenced the improvement of the system. They made a Report well worthy of perusal, from which it appeared, among other things, that certain lights in parts of the United Kingdom were conducted on a different principle to others. There was a division between the public general lights and the local and harbour lights. He followed the distinction made by that Committee; and it was with the public lights alone that he proposed to deal, and with respect to which he asked the decision of the House. The expenses of these lights were paid for by British and foreign shipping, whereas harbour lights were paid for by local bodies. The Committee recommended that the improvident leases should be bought up, and that power should be given to the Trinity House to buy up the private lights. This state of things continued from 1836 to 1845. During the interval the Trinity House had bought up many of the private lights, and brought things into a better state. The recommendations of that Committee were embodied in the Act of 1846, which gave ample powers to the Trinity House. Mr. Hume, not satisfied with the great boon which had been conferred on the trading portion of the community by the exertions he had made, returned to the subject in 1845, and got a most important Committee appointed to investigate the subject. The first Resolution to which it came was this—that the charges paid for light dues pressed very heavily on the commercial shipping of the country, especially on the coasting trade, and sound policy required that every practicable relief should be given. The next Resolution was still more important—that all expenses for the erection and maintenance of lighthouses, floating lights, buoys, and beacons on the coasts of the United Kingdom should henceforth be defrayed out of the revenue of the United Kingdom. The authority of the Committee of 1845 was, therefore, in favour of the proposition he was about to submit to the House. The recommendations of that Committee were not carried into effect, and another Committee on the same subject sat in 1860. This last Committee affirmed the Resolutions of the previous Committee, and expressed an opinion that the lighting of the shores of this country was an Imperial duty, and recommended that the nation generally should take on itself the payment of the light charges, assuming at the same time the management of the lighthouses. They stated that the value of the Act of 1836 was shown by the fact that £1,250,000 had been paid by the shipping interest in buying up the improvident grants made by the different Governments of this country; and they also observed that the mere interest of the money paid by the shipping interest on account of lights would be sufficient to keep up all the lighthouses. It did not seem to him unreasonable that the House should act upon the recommendation of these Committees. He begged the House to consider the position which this country assumed in the eyes of foreign nations in consequence of the practice now pursued. Other great maritime nations did not adopt the same course as England in respect to this matter. They performed the duty of lighting the shores of their territories for the benefit of their own people, and for the benefit of mankind in general; and yet this country, the greatest commercial nation in the world—lagged behind other maritime countries, which adopted a more liberal policy on this subject. He knew by experience how the existing system of dealing with lighthouses worked against this country. The question had been brought under the consideration of Lord Palmerston by Mr. Abbot Lawrence, the American Minister, two years after the repeal of the Navigation Laws. France had acted in a manner similar to America, and had taken all the charges off their shipping. His friends in Newcastle, the other day, took advantage of the presence of the American Minister amongst them, to ask him to do all he could to promote Free Trade in America. The Minister, however, in reply, took advantage of the manner in which we treated foreign ships in this country by our light dues, as a reason for not extending to us the benefits of Free Trade. He (Mr. Headlam) thereupon said he would undertake to do his utmost to place our lighthouses on a better system, and he hoped that his Excellency would do his best in favour of Free Trade in the United States. It was not easy to get at the precise amount of the charge thus levied upon shipping. There was such an absence of system, and we trusted so implicitly to the Trinity House, that we had no very accurate accounts; and the present income and expenditure of the light funds were not given with minuteness, but merely as an item in the general accounts of the mercantile marine fund. In 1867, the amount actually received in England, Scotland, and Ireland, in respect of this impost, was £326,000; the expenditure was £301,000, and there were works in that year which absorbed the sum of £50,000. He did not wish to lead the House to suppose that he stated this with perfect accuracy, but the precise amount was not material to his case. Many lighthouses, of which the receipts were included in this Return, would, in reality, come under the head of harbour-lights, so that the amount would not be quite so much as he had stated; but it might be taken at somewhat above £300,000, with the same general tendency to increase as belonged to all such imposts. Let them now consider what was likely to be our position if the produce of this tax were transferred as a charge on the Consolidated Fund. Upon whom did the tax fall at the present moment? According to the Returns of the Trinity House, 28 per cent was paid by foreign ships. Some persons might say it was a good thing to have the cost of our lighthouses defrayed by foreigners. It seemed to him to be about as wise a thing as if a shopkeeper were to impose a tax on the customers who came to his shop in order that they might pay for facility of access to his door. The immediate effect of the tax thus imposed on foreign ships necessarily was to drive them away from our harbours. We should know beforehand that it would be so; but he was in a position to prove, by instances within his own knowledge, that it had that effect, and was constantly producing it. He held in his hand a complaint made to a foreign consul at Newcastle under these circumstances. A vessel had gone from France to Antwerp, where she discharged her cargo, and not having facilities for getting a return cargo at Antwerp she came to the Tyne for that purpose. She had two or three boxes on board, which she was going to take to her ultimate destination; and the fact that she had these two or three boxes on board—though they were not to be opened—was held to take her out of the category of vessels in ballast, so that even when she was taking in her cargo, she was charged the full amount of light dues. The shipmaster very naturally made a complaint to the consul of having to pay a heavy sum, which quite did away with all the profits of the transaction. We got our money—the light dues were paid—but we might depend upon one thing, that we should not have that ship back again. The Trinity House took such a case as in reality an argument in its favour. A vessel came to Havre, and would, in the natural course of things, come to this country for a return cargo; but, frightened by the light dues, she stayed in Havre, and got a certain amount of goods sent to her from this country. This, which in fact kept a vessel from resorting to our harbours, was quoted by the Trinity House as an argument on its side, and we might be certain that if this took place with one ship, it took place with many. As to the incidence of this tax, it was paid partly by the people of this country, and partly by the shipping interest; undoubtedly, in the first instance, by the shipping interest, and was therefore a great hardship to them, though they might get a portion of it back. He would not quarrel with his right hon. Friend the President of the Board of Trade, or with the Chancellor of the Exchequer, on this subject, but he found that the Chancellor of the Exchequer himself declared that "part of it undoubtedly fell on the shipping interest, and part on the consumers." What he wished to impress on the House was, that if these charges were placed on the Consolidated Fund, there would be no additional burden upon the people of this country, and for this reason—At the present moment the price to the consumer of every article imported by a ship must necessarily cover the whole of the charges upon it—not only the original cost of the article, but freight and light dues, as well as the dealer's profits. If his right hon. Friend were to raise his imposts slightly, so as to meet all the charges now placed on the consumer, it would not increase the price; since the consumer already paid them in a roundabout way, and if the amount of £300,000 were taken on to general revenue of the country, the change would, in reality, be beneficial to all parties. The House would be surprised at the inequality and injustice of the distribution of this tax. It came chiefly upon the poorer class of shipping—the coasting trade—and it was charged by the tonnage, which had little reference to the value of the cargo; consequently, a vessel of considerable tonnage, but laden with a cargo of small value, paid an amount which increased its freight immensely. Upon bulky articles, such as coal and corn, the tax operated most oppressively, though on valuable cargoes from foreign countries it was little felt. Again, it was very heavy on steam vessels as compared with sailing vessels. Harbour dues were only paid six times in a year, but light dues were paid on every voyage, and in respect of lights which were of little use to the steamer. The Trinity House said that all these things might be rectified, but such a body had really no power to rectify them. The Chancellor of the Exchequer, in bringing forward his Budget, spoke convincingly of the advantage of making this country the general *entrepôt* for the trade of the world, and asked them for that purpose to take off, not the comparatively small amount of £300,000, but the much larger sum of £900,000, produced by the registration or 1*s*. dues on corn. The right hon. Gentleman had pointed out very truly the magnificent geographical position we occupied for a trade of this description, and said that if corn were entirely free, England would probably be the centre from which corn would be distributed. He (Mr. Headlam) supported that proposition; but, at the same time, he would tell the right hon. Gentleman that those petty light dues were infinitely of greater consequence than the registration duty on corn, inasmuch as the effect of the former was to drive away ten foreign vessels from our shores for the one driven away by the registration corn duty. If, therefore, he voted with the Chancellor of the Exchequer—as he hoped to do—for remitting £900,000 a year on corn, he asked the right hon. Gentleman to support him in placing this £300,000 on the Consolidated Fund.

Motion made, and Question proposed,

"That it is the opinion of this House, that the practice of charging upon the shipping of this Country and the shipping of Foreign Nations the cost of maintaining the Lights, Buoys, and Beacons which light and protect the shores of the United Kingdom should cease, as being a practice unworthy of a great maritime nation whose ships are afforded the use of the Lights of other Countries free of all expense."—(*Mr. Headlam.*)

MR. EASTWICK said, that he represented a constituency which was greatly interested in this question. He need not tell the House, that few ports, if any, were more resorted to by merchant shipping than Falmouth, and extreme dissatisfaction was expressed there with regard to lighthouse dues and the mode in which they were levied. The Trinity House had, in his opinion, laid themselves open to animadversion, because they had failed to publish intelligible accounts, which, as trustees of public money, they ought to have done, and because they had for a long period allowed the surplus accruing from those dues to be paid over in charity. He thought that a very objectionable and anomalous course. Had the money been funded we should now be in a position to pay a considerable portion of the expenses of our lighthouses out of the interest which would be derived from that source. For several reasons the lighthouses ought, he contended to be maintained out of the Consolidated Fund. The funds, if administered by the Government, would, he thought, be likely to be administered more economically, and in the next place, he did not see how it was possible that unfairness could be avoided under the present system, under the operation of which vessels of the Royal Navy paid no dues, while steamers and sailing vessels paid at the same rate. The charge could not be apportioned fairly, too, on merely coasting vessels and those which took long voyages. He understood the right hon. Gentleman, who introduced this question, to say that Lord Palmerston had been opposed to exempting vessels from the payment of light dues; but, if he remembered right, that noble Lord had, on one occasion at least, expressed himself as favouring such a proposal. Lord Palmerston said, in fact, that so far as the keeping up of lighthouses was concerned, the country ought to be looked upon as one great parish, and ought, in his opinion, to pay for their maintenance. He quite agreed in this view of the matter, and he felt bound, therefore, to support the Resolution of the right hon. Gentleman.

MR. SAMUDA said, the question really brought before the House by his right hon. Friend was who should pay for the maintenance of those lights. He did not gather from him that he thought it possible to do away with the lights themselves. Maintained they must be, and the only question was the source from which the expenses of maintaining them were to be gathered. His right hon. Friend contended that they were paid for from the wrong source, and that the right source was the Consolidated Fund of the country. It appeared to him, however, that if such an alteration were made, instead of obtaining Free Trade they would actually obtain its reverse, and that every foreign country which brought ships to our shore would be excluded from paying those charges, which were admitted to be necessary charges, whilst the ships of this country itself would be the only ones which would have to contribute to that sum. That, he thought, would be Free Trade run mad; and he felt that it would be much better to leave matters as they now stood than to have such a change as his right hon. Friend proposed. The Trinity House had no power whatever of obtaining any advantage by those dues, for all surplus was now paid over to the public funds.

VISCOUNT BURY differed altogether from the observation of the hon. Gentleman who had just sat down. He had said that if those light dues were charged to the Consolidated Fund the British shipowner would have to pay his quota of those light dues and the foreigner would have the advantage of the light without paying. The hon. Gentleman seemed to forget, however, that when the British shipowner went abroad and used the lights of other countries he obtained the very advantage which the foreigner would have on coming to our shores, under the system proposed by the right hon. Member for Newcastle. The argument of Free Trade run mad which was used by the hon. Gentleman was not maintainable; and even if he did object to those expenses being paid from the Consolidated Fund, he had placed his argument entirely upon the wrong footing. For his own part he (Viscount Bury) agreed with the right hon. Gentleman, who had brought forward the Motion, that it was unworthy of a great nation to collect by dribblets in that manner the funds required for the lighting of its coast; he thought so because England ought to be the foremost and not the hindmost in all questions like that, and because there was hardly a civilized nation in Europe which did not charge the expenses of its lights upon its general Budget; and there was no single nation which raised a tax of the kind upon shipping instead of relying upon funds raised within its own dominions. He also thought the way in which our lights were at present administered was radically wrong. He did not wish to run a tilt against the Trinity House. He believed that that body discharged its duty as well as any body similarly constituted could do, but the position in which that body stood was anomalous, and he did not think the House would continue to leave matters as they were. The Trinity House, ought he thought, to become a Department of the Government, and more specially responsible to the Government than it was. The management of the lights of the United Kingdom was vested in three different bodies—the Trinity House, the Commissioners of Northern Lights, and the Ballast Board of Ireland. Every one of these bodies proceeded on an entirely different system, the result being such a muddle and division of responsibility that very little was done, and even that little was only done at a very great cost. It would be seen from the Report of the Royal Commission on this subject, that every maritime country except ours charged the expense of its lighthouses on funds raised every year from its internal resources. In the United States the lights of the country were managed by a board specially constituted for the purpose at an expense which might cause Englishmen to stand aghast as they contrasted it with the expenditure at home. In Norway they were governed by an inspector under a Government Department, and the cost borne by the common fund of the country. In Sweden, Hamburgh, Spain, France, Russia, America, Austria, Denmark, and Holland, the lights, buoys, and beacons were under the superintendence of Boards, consisting of naval and scientific men, and the cost was defrayed out of the general budget of the country. It could not be denied that it was most essential, when a public object of such importance was to be attained, thats uch a tax should be levied with the widest possible incidence, and with the least possible interference with the due course of trade. The second point he wished to advert to was this—He did not think the Trinity Board was the proper body to administer the funds and manage the lights, buoys, and beacons of this country. Other great bodies their congeners had disappeared, and the last surviving charter was that of the Hudson Bay Company, which was approaching its extinction, and he could not see why the Trinity Board could be maintained simply on account of its antiquity. On the whole, however, the Trinity Board, barring its wasteful expenditure of public money, for which he could not forgive it, had done its work very well, though not on any system, and of late years without jobbery, though there was a time when the funds were administered with considerable malversation. He only now imputed to it incapacity to carry out that for which it had no machinery. He should like to see the Trinity Board converted into a great office of State, under the control either of the Board of Trade or First Commissioner of the Navy; because from its constitution it was not a proper tribunal to which matters of this kind ought to be referred. Of the long list of members of the Trinity Board the greater portions of them were commanders of the mercantile navy. There were a few members of the Royal Navy, and during the lifetime of Professor Faraday, who was paid a small salary, he was the only scientific man connected with the Board;

whereas, to effectually light our coasts, a large preponderance of the Board ought to be men conversant with science. The Commissioners of Northern Lights in Scotland consisted of the Lord Advocate, the Solicitor General for Scotland, and the Lord Provosts of Edinburgh, Glasgow, and Aberdeen, and a number of provosts and baillies, whose nautical knowledge did not probably extend beyond a visit to the sea-side during a summer vacation. And, again, the administrators of the Ballast Board of Ireland consisted almost exclusively of the members of the Corporation of the City of Dublin, and he was unable to say if there was anyone connected with science on the Board. Having shown that the three great bodies of the country were not the proper persons who ought to be entrusted with the administration of our lights, he had next to call attention to the local authorities. These were the Harbour Conservancy Boards on various parts of the coast, and each of those bodies did exactly what seemed right in its own eyes, not acting on any regular or uniform system, but making, between them, the whole thing one mass of confusion. In some instances, unless they happened to have a book with the sailing regulations of a particular harbour, it was impossible to tell when it would be safe to enter it. With all that uncertainty and confusion, the clearness and simplicity of the French plan contrasted most favourably. On approaching the entrance of a French harbour they saw a mast, with a yard and two or three balls upon it, which by their position indicated at once the depth of water on the bar, and informed seamen whether it was safe to enter the harbour; but when they contrasted the simplicity of that system with the one adopted in this country they at once saw its inferiority. Again, with regard to the buoys and beacons, they found on entering a French harbour that a red buoy was invariably placed on the starboard side and a black buoy on the port side, and that, consequently, they could always enter with safety. In this country, however, they had sometimes a red and a black buoy on the right hand, and a checkered buoy on the left. In Scotland it was black and red, exactly the reverse of that of England, and the Ballast Board of Ireland reversed that of Scotland. The Admiralty plan also differed in every part in which they had jurisdiction; and he was much struck with the recent observation of one of the Cowes steamboat men, who said the Admiralty were continually changing the buoys—that he had gone by them for the last thirty-five years, but that he should give them up for the future because the Admiralty were continually muddling them. It was high time that some system worthy of the country should be inaugurated. His third point was that that most imperfect system, as at present administered, was extremely wasteful. A few figures would prove this beyond all doubt. The total annual expenditure of the Trinity House was £172,000; of the Commissioners of Northern Lights, £59,000; of the Ballast Board, £46,000; total, £278,000, to which had to be added the expense of maintaining steamers, £26,000, or in all about £304,000. Then there were salaries of the home establishment, law charges, salaries and wages of the district establishment, and also salaries and expenses connected with the three central offices. These amounted to £64,807, or nearly one-fourth of the whole expenditure on lights. When that was contrasted with the expenditure of the American Head-quarter Office, which only amounted to £2,000 a year, instead of £64,807, they could not but stand aghast at the wasteful expenditure of Trinity House Office. He thought everybody would agree that that expenditure would be enormously reduced if, instead of three distinct Boards—the Trinity Board here, the Ballast Board in Ireland, and the Commission of Northern Lights in Scotland—we had one compact Board, consisting of naval officers and scientific men, and sitting in London. What he wished particularly to impress on the House was this—that there ought to be one great central authority, that that central authority ought to be the First Lord of the Admiralty, or else the President of the Board of Trade, with a re-constituted Trinity Board under him, to which all those points relating to the buoyage and the lightage of our shores ought to be referred; and that the whole system ought to be conducted upon one great plan, worthy of our position as one of the first maritime nations of the world.

MR. SHAW LEFEVRE said, that when he read the Notice which his right hon. Friend laid on the table he thought he had exercised a very wise discretion in founding it mainly on the international part of the subject, instead of resting it on the rather unsound basis of the grievances of British shipping. But his right hon. Friend had not confined himself to the terms of his Motion, and had referred at length to the hardship inflicted on British shipping. He would point out first what was the nature of the charge in respect of the light dues, and then discuss the real nature of the hardship complained of. The whole amount paid by the ships of this and other countries was £350,000 a year, of which not more than £55,000 was paid by the coasting trade in respect of 28,000,000 of tonnage. But that sum might be considered as a charge which, like many other charges of the kind, such as insurance, fell upon the consumers. Take, for instance, the case of the coal conveyed from the Tyne to the Thames. There was something like 3,000,000 tons of coal carried from the North of England to the Thames, and it paid about £12,000 a year in light dues. Now, he ventured to ask whether that money was paid by the owners of the colliers or by the consumers in London. As it was manifestly paid by the consumers, the only other argument which could possibly be used was that this £12,000 was a weight upon the colliers in competition with the railways; but if a comparison was made between the local or other burdens imposed upon the owners of ships and the railway companies, he ventured to say that the balance would be found to be in favour of the shipowners. The whole amount paid by the foreign-going vessels was £271,000, of which £86,000 was paid by foreign vessels. Of this £271,000 £124,000 was paid by vessels importing into this country, £98,000 by vessels importing into other countries, and £48,000 by vessels which brought merchandize to this country, and afterwards exported it. This last paid twice over, both when coming in and going out. His right hon. Friend drew a comparison between this burden and that of which the Chancellor of the Exchequer was about to relieve the corn trade; but it would be found that it bore but a very small ratio to the latter. And by whom was this amount paid? By the consumers of the country. With respect to that portion which was paid by the export trade it would be more difficult to trace its ultimate incidence. It operated probably as a very small export tax; but he ventured to say, with great confidence, that it was not paid by the shipowners. He now came to the more important argument of his right hon. Friend, in regard to the international question. His right hon. Friend had stated that all other countries paid for these lights directly, or, in other words, they did not raise any special tax from ships for this purpose. Up to very recent times, however, France did raise tonnage duties. But, in 1867, they reduced those dues from upwards of 3 francs to 75 centimes per ton, and he believed they would be lowered still more in 1871. But he believed the tonnage dues levied by the French Government were still not far different from our light dues. A case had been laid before the Trinity House by the North German Lloyd's, in which they stated that they paid £2,373 for light dues; but that if they sent their vessels to Havre instead of to Southampton they would have to pay only £162 instead of £185 for a vessel like the *Hansa*. The House would see that the difference was very small. In 1871 the dues at Havre would be still further reduced, and then no doubt it would be a very serious consideration for vessels like those of the North German Lloyd's whether they should not make Havre their port of call rather than Southampton. But when the tonnage dues of France were lowered to a point which made the difference serious, then an important question for our consideration would arise; but at present the difference was hardly worth speaking of. There was another point which had been mentioned — namely, that vessels which merely called at Cork or at Falmouth on their way up Channel had to pay dues, and it was said they might hereafter call at foreign ports for orders; but at present we had no reason to believe that vessels were driven from our coast by these dues. His right hon. Friend had mentioned the case of a vessel that came to Newcastle which was charged in consequence of having two boxes on board, and he thought the vessel would never come again. But he (Mr. Shaw-Lefevre) ventured to draw a different inference—namely, that it would not come with two boxes, but either with a good cargo or without any cargo at all. Further, it appeared from the statement of the

Minister of Marine of France that when France reduced her tonnage dues she did so not with reference to any international duty, but from regard to her own interests; and, therefore, when it was proved to us that it would be our interest to throw the light dues on the Consolidated Fund, the argument would be a very strong one. He would now deal with another branch of the subject to which his right hon. Friend had called attention, though not strictly relevant —namely, the management and expenditure of the Trinity House. His right hon. Friend in his very able statement had entirely passed over the legislation of 1854. But in that year the Trinity House, as far as expenditure was concerned, was placed under the Board of Trade, and from that day to this not one single sixpence could be or had been spent by the Trinity House without the authority of the Board of Trade. Therefore, for any wasteful or injudicious expenditure it was not the Trinity House, but the Board of Trade, that was to blame. The position of the Trinity House, however, in other respects remained the same. For example, it could appoint and dismiss its own officers; but as the conscience of such Boards was said to reside very much in their purse, and the Board of Trade had complete control of that, it had also full control over the conduct and actions of the Trinity House. In fact, the Trinity House had become a sort of department of the Board of Trade, though in some respects, perhaps, the connection was not so close as might be desired. In the Report of 1861, which had been alluded to, he believed that more complaint was made of the economy of the Board of Trade in respect of lighthouses than of anything else. Since 1861, however, large sums had been expended in building new lighthouses and improving those which already existed. The hon. Member for Liverpool (Mr. Graves) was a member of the Royal Commission, and he believed that hon. Gentlemen would allow that the Trinity House had brought up the lighting of this country to an equality with that of any other country in the world. Great credit was due to the present management of the Trinity House, and more especially to the Deputy Master; but he must admit, that in some respects, his opinion coincided with that of his noble Friend (Viscount Bury) as to the present organization and relation of Trinity House and the other Boards of management. As he had stated, there were four bodies that had to do with lighthouses. The Scotch and the Irish Boards were independent bodies, but they were subject in some respects to Trinity House, because they had no nautical men upon them; and if there were any difference between them and the Trinity House the Board of Trade acted as arbitrator; and, as the Board of Trade had complete control over the purse of Trinity House, it decided any financial question. It had always seemed to him that there was great perplexity in the present arrangements, and that it would be better if there could be an amalgamation of these bodies, and that one Board should have authority over the lighthouses of the country. This had been the opinion of successive Governments, and attempts had been made at different times to remedy the evil; but it had been found difficult to do so, mainly on account of the jealousy displayed by the Scotch and Irish Boards when it was proposed to amalgamate them with Trinity House. The constitution of the Trinity House Board must be admitted to be unsatisfactory. It was too numerous, consisting of twenty members, who received £300 a year each; and it could not be doubted that it would be far better that there should be fewer members, who should devote themselves wholly to the business of the Board, and that they should be better paid. The Board of Trade was now in correspondence with the Deputy Master of Trinity House, and it was hoped that arrangements would be made which would to some extent remedy the existing evil. He had himself already pointed out that the accounts of the Trinity House were not sufficiently explicit, nor rendered in an intelligible form; but he hoped the next accounts presented by the Board of Trade would be more satisfactory. At present dues were paid into the Mercantile Marine Fund, out of which the expenses of the lighthouses were paid; but it was a question whether it would not be better that the dues should be paid directly into the Exchequer, and that the estimates submitted yearly by the Trinity House and the Scotch and Irish Boards should be submitted to the House and Votes taken upon them. In that way the expenditure on the lighthouses would be subject to the direct control of the House. Whatever might be the opinion of the House as to the policy of raising the means to maintain the lighthouses by light dues, and however desirable they might think it to throw the cost of the lighthouses on the country, he hoped they would not assent to the terms of the Motion. When other nations did not treat us generously; when almost every other nation put protective duties on the import of our manufactures; when the United States charged 45 per cent upon them, and thereby levied millions; while American shipowners did not pay more than £10,000 of our light dues, he thought the House would not express the opinion that the practice of levying light dues was unworthy of us as a maritime nation. When other nations dealt with our manufactures as we dealt with theirs, then it would be time to put on record such a Motion as this; but other countries were not in a position to accuse us of want of generosity, and therefore it was not right that we should commit ourselves to the declaration proposed.

Mr. STEPHEN CAVE said, it would not be right if he did not to some extent corroborate what his hon. Friend had said with regard to the Trinity House. Considering all things, the Board discharged their duties as well as could be expected. The constitution of the Board might be changed with advantage; but, at the same time, those who had the administration of its funds, and who were engaged in the active performance of its duties, had acted admirably during the last two or three years. At the Paris Exhibition of 1867 he heard both the Americans and the French agree that, however much they had advanced since preceding exhibitions, we had taken far greater strides as to lighthouses, the vividness of lights, and fog signals of various kinds than they had done; and any one who knew the works constructed by the Douglasses, the well-known engineers of Trinity House, at Wolf Rock and at Bishop's Rock, could not doubt that we maintained a proud pre-eminence in the lighting of our coast, so as to make its navigation safe. No one could say that we had made slight advance in the excellence of our lights. He recollected the time when the lights of Dungeness and Cape Gris Nez were compared to our disadvantage; but any one who had seen them then would now have reason to change his opinion. He concurred with his hon. Friend that it was one thing to say what ought to be done in regulating such matters, and another thing to do it. More than once when he was at the Board of Trade suggestions were made for bringing together these different authorities, and introducing something like order and regularity into their proceedings; but there was the greatest jealousy of the slightest interference; and whoever undertook to bring order out of this chaos, to introduce a uniform system, and to establish one Board, would have an unenviable task. In this particular instance, this incidence of taxation was certainly upon the consumer, and he had no doubt that the shipping interest was able to recoup itself for what was paid under the head of these duties. But, as the right hon. Gentleman at the head of the Government had often stated, in bringing in measures for the reduction of taxation, a tax, although not actually burdensome, and not actually borne in the long run by the person from whom it was at first collected, might yet be a hindrance to trade, by leading persons to employ means to escape that taxation. It was, no doubt, a great disadvantage and a great waste for ships to go in ballast, which they would hardly ever do if it were not to avoid charges of this sort. It would be a national gain if they were able to carry any quantity they could get, without extra charges—even the two boxes mentioned by his right hon. Friend opposite. There could be no doubt that, by the operation of these duties, foreign ships and steamers were frequently prevented from calling at our ports. It might be a short-sighted policy upon their part, but still their refusal was based upon what they considered to be opposition to an unjust impost. When in Paris, two years ago, in relation to the Fishery Commission, he found it a frequent subject of conversation, that, although we spoke so much of Free Trade, and asked foreign nations to relieve us from various duties, we, at the same time, were imposing charges upon them. No doubt, those allegations could be satisfactorily answered, but still they prejudiced us in our negotiations with foreign countries; and we should be doing a good thing if we could get rid of the impost and the objections. That, however, was more a question for the Chancellor of the Exchequer than anybody else. He certainly thought it would have been better to remove these burdens from shipping than to deal with the corn duty in the manner proposed, for he did not believe that we should ever make this country an *entrepôt* for foreign corn. Ships might call for orders, but it was hardly to be supposed that they would tranship their cargoes here. The question was not one which he should recommend his right hon. Friend (Mr. Headlam) to press upon the Government. He had accomplished a great deal by merely raising this discussion; for a debate of a similar character had not arisen in the House of Commons for several years, and he was certain that its effect must be to turn the attention of the country to this subject, and thereby to facilitate the reduction and eventual abolition of this tax upon shipping.

MR. STEVENSON said, the pressure of light dues often operated very prejudicially in cases where small beginnings of trade were attempted, for the bringing of a single bale of goods to a particular port exposed the vessel to light dues just as much as if it carried a whole cargo. The reply of the Trinity House to the memorial addressed to the Board of Trade upon the subject, admitted that some modification was necessary. And the Trinity House, acting under the Board of Trade, did not seem altogether to approve the way in which the surplus dues were dealt with, for they preferred to relieve those ports where a surplus had accrued, the Board of Trade, on the other hand, adopting what he considered the more Imperial view of the question—that of applying the surplus equally to all parts of the coast. It would seem that increased perplexity in working out these difficult questions was imminent, for there had been communications between the two bodies which held the destinies of the shipping interest in their hand, as to establishing differential rates between steamers and sailing vessels, in regard to lighthouse dues. The Elder Brethren alleged that this course would, to a great extent, meet the objections which had been urged; he, on the contrary, maintained that it would double the existing objections and render the anomalies complained of more unequal and unjust than ever. An arbitrary rule, for instance, was adopted, under which vessels sailing from the Tyne to Norway were subjected to a differential tax of £5 a voyage, as compared with vessels sailing to the same ports, but starting a few miles south of the Tyne—the assumption, which was a mere assumption, being that in one case vessels had the benefit of the costly lights on the East coast of Scotland, and that in the other case they did not require them. Again, vessels carrying coals to France from English coal ports were at a disadvantage equal to 2 per cent on the freight as compared with vessels from Belgian ports which paid no light dues. Since 1854 the whole of the light dues collected in the different parts of the United Kingdom had been thrown into one single fund, called the Merchant Seamen's Fund; and he asked the House to consider whether the distribution of the burdens was equitable under that arrangement? If Scotland and Ireland were out of the question, there would be a surplus revenue from the English lighthouses of £82,000. Upon the Scotch lighthouses by themselves, however, there was a deficiency of £8,200; and upon the Irish lighthouses of £47,400, so that England suffered by the partnership to the extent of close upon £56,000 a year. The Trinity Brethren took credit for the promptitude that was shown in placing buoys over wrecks, and quoted one case where a vessel was wrecked off the port of Hartlepool, and a buoy was sent, by a special steamer, all the way from Yarmouth to mark the spot. But, in his opinion, this only helped to explain the enormous cost at which the system was carried on. The Trinity Board complained that those who found fault with them did not understand them, or give them credit for their good intentions. But this was always the case with a close corporation, and it never could be otherwise. The complaint was that the Trinity House, although levying large taxes, was not a public Board. They said they were a very independent body, but that was always the excuse for bodies which were not representative. In advocating the change that lighthouses should be made a national charge, he would say that it was the only course to make them stand well with foreign nations. In other countries where communications were mostly by land, the lighthouses were made the subject of Imperial cost and care; but here, where our insular position led to all our intercourse with foreign countries being by sea, it was discreditable that the lighthouses should be left in the hands of an irresponsible body. The change proposed was the only remedy for the anomalies of the present system, and the only statesmanlike mode of settling the question, and if it were not adopted the Government must address itself to meet the difficulties and remedy the anomalies complained of.

THE CHANCELLOR OF THE EXCHEQUER: No one who has listened to the speeches delivered upon this question can doubt that it relates to a subject of very great complexity, and I fear it is impossible to adjust these matters so as to avoid anomalies. That is a fault which this subject shares with many others when you levy money on the public. I cannot recognize it as anything peculiar to the subject of light dues. I am quite of opinion that it is exceedingly desirable that the whole business of these light dues should be placed in one hand—in the hand of a responsible Minister, and that these different Boards should be constituted under one head. But when the hon. Member talks of the Trinity House being an independent body he can hardly have considered the great change in its organization. It was an independent body once. It is now really nothing more than a Department of the Government, perhaps not very well organized—as I fear may be said of many other Departments—a Department for whose action the Board of Trade are responsible, and it is very right to hold that Board responsible for the manner in which these duties are performed. But that is really not the subject of debate—the whole question is one which belongs to my own Department—whether or not we ought to accept this burden — to transfer this £325,000, now levied in the shape of dues on shipping, to the Consolidated Fund. In dealing with that question I need not repeat the arguments of my hon. Friend the Secretary to the Board of Trade. I will, however, state how the matter strikes me. I shall avoid details. The question depends on large principles, and must be dealt with in a large way. It cannot be influenced by either classes or anomalies. The first question is, what is the nature of this payment? It is called a tax. It is not really a tax. It is a payment received for service conferred. The money that is spent on these lighthouses is spent for the benefit of the shipping interest—to save the property and the lives of seamen. It has been spent not to make dearer, but cheaper the commodities brought by the ships. Therefore, these dues are not a tax levied for the benefit of the Government, or for purposes of protection, but one which is directly for the benefit of the parties who pay it. In fact it is a toll paid by the ships of the country without the inconvenience of their being compelled to pull up to pay it. That being so, the next question is, upon whom does the burden fall? Of course, in the first instance, the dues are paid by the shipowner. This being an indirect tax, ultimately paid by the consumer, the money must be advanced by some one, and the person advancing it is the shipowner. There is nothing harsh or unfair in that. The shipowner does derive a benefit above all other classes, because it is mainly for the protection of his property and servants that the lighthouses are maintained; but he must know that he does not ultimately pay this tax, because these dues form part of the freight, and the freight forms part of the price of the commodities, and they must, therefore, necessarily be paid by the consumer. The shipowner advances them, but he is sure to get them back. These dues are not collected from persons whose ships are in ballast only. They do not apply to freight unless freight is carried, and therefore the shipowner will have them restored to him in the freight. No doubt it has been represented—as by the deputation headed by my right hon. Friend (Mr Headlam) which waited on me—as an iniquitous thing that shipping should be taxed for the benefit of the whole community. That was the ground taken by the deputation. I pointed out to them that it was not a tax wholly paid by the shipowner, but by the consumer, and that ground has now been abandoned; for the Motion before the House is not that the shipowner is unduly or unfairly taxed, but that such conduct is unworthy of a great nation. So that my right hon. Friend has now left the ground of justice and taken up that of chivalry.

Well, then, is there any hardship in levying such a duty as this? People talk of taking money out of the Consolidated Fund as if it found its way there of itself. But if you take £325,000 out of the revenue you must get it from some other quarter; and it would be exceedingly difficult to get that sum collected in a way that would operate more justly. Of course, you cannot get £325,000 without a great deal of difficulty and suffering, and without doing a great deal of mischief to industry one way or another; but, practically, it would be exceedingly difficult to point out any tax that could be imposed with less inequality or injustice. There is this practical advantage in this tax, it forms a test of its own experience. If this tax were to be imposed and paid out of the general revenue, the Government would be urged by all manner of representations to put up lighthouses in all available places. No doubt great influence would be brought to bear upon them, and they would often be induced, perhaps, to put up lights in wrong places. But now what is done? Shipowners apply for lights. The Government are willing to put them up if the shipowners are willing to pay the dues, and in this way the Government have every security that the lights are needed. Whereas if the money came out of the general revenue, it would be nobody's interest to find fault with anything that was done, and we might have a most unprofitable expenditure, and the grossest political jobbery. Let us test this impost by the ordinary criterion of taxation. Adam Smith says that a tax should be equal. Now, could anything be fairer than this tax? It is advanced in the first instance by the persons who are immediately benefited by its application, and it is recouped from the persons consuming the commodities brought by the vessels. A tax should be certain. Well, nothing could be so certain as this tax. Its amount is perfectly well known, and is taken into account by the shipowner in the freight. Then, as for the collection of the tax, nothing could be cheaper or more convenient, for it is collected at the end of the voyage when there is the general settlement of accounts. It therefore appears to me that this tax fully realizes all the elements of a sound tax; and it is wholly expended for the benefit of those who are wholly or more immediately interested in its expenditure. There is another point worthy of consideration. This tax may be divided into two parts. It amounts to £325,000. Of that sum £179,000 are dues paid by ships importing goods into this country, and £146,000 are paid by ships exporting goods to countries abroad. As the consumer pays the tax at last, nearly one-half is paid, not by the natives of this country, but by the inhabitants of other countries, and I am unchivalric enough to consider that a considerable advantage. I do not see why we should desire to pay £146,000 now paid by other countries, and place the charge on the people in this country. Against this argument nothing is urged that I know of, except that it is unworthy of a great nation not to reciprocate the treatment we receive from foreigners. This is not a question of removing obstacles from commerce; but it is really a question of bribing commerce to come to our shores by paying out of the taxation of the country those persons who ought to come to us for their own advantage. If you relieve foreign shipping from the light dues, you hold out a greater inducement for it to come here, just in the same way as you would, if you relieved it from dock dues. The same argument would apply for opening the docks free as for removing the light dues. I know of no limit to such an argument. Such a course of proceeding might induce foreign captains to come to this country, but it really would be a system of benefits to foreign commerce. In like manner a tradesman might try to induce customers to go to him by saying—"If you come to my shop I will pay the turnpike for you;" but who would be so simple as not to know that he would take it out in the first pound of tea? We take the best means of bringing shipping to our ports when we throw our trade open, imposing no protective duties, but making it pay for lighthouses. Foreign countries acted in a reverse way. They are liberal in respect to their lights, paying for them out of the general revenue, but indemnifying themselves by putting on enormous protective duties. Take the case of America. She does not make any charge for lights; but she racks her ingenuity in every way to prevent the commodities which our ships carry there from finding their way into the country. These are the grounds on which

I entirely object to placing this sum on the Consolidated Fund. It appears to me that the tax is just and fairly imposed; and I only wish other countries would deal with us in the same spirit in which we deal with them, and, taxing us for their lights, would forbear taxing us for our commodities. I shall feel it my duty to resist the Motion of my right hon. Friend, but I trust it will not be pressed.

Mr. GRAVES, having been on the Commission which had been alluded to in the course of the discussion, said it was satisfactory to him to find that all the recommendations of that Commission had been adopted except one, which related to the maintenance of the lights. With regard to the system of management, he thought that a more cumbrous and unsuitable machinery could not be devised. It created constant irritation between the Boards, and the greatest care was required to prevent things from coming to a dead-lock. It was, therefore, most desirable that some change should be made in the system. He was bound, however, to say that, since 1861, there had been a great improvement in the executive of the different Boards, and the Trinity House deserved credit for the attention it had paid to the recommendations of the Commission, for the security of its lightships, and for the rapidity with which displaced buoys were re-set in the proper situation. As the system of lights now extended all round the shores of the country, and would shortly be completed, it would now be requisite to direct attention to the augmentation of the illuminating power of the lights rather than to the increase of the number of the lights. He would leave the President of the Board of Trade to reply to the Chancellor of the Exchequer, because he thought that so ardent a Free Trader could not share the opinions expressed by the right hon. Gentleman. Anything more fallacious than to say that an impost should not be remitted because the foreigner would share in it he could not conceive. The Secretary to the Board of Trade (Mr. Shaw Lefevre) was not far wrong when he said that possibly in a short time this subject might become a serious question for consideration; because, by the tax which we laid on foreign shipping visiting our ports, we were preventing other countries from extending to us the freedom which we have been so long seeking. In France a great change had taken place this very year, and a vessel in Havre which last year paid £225 for dues, now only paid £36. The question as to the proportion borne by the outward tonnage of the country was not a question for the English consumer—it was an export tax on the consumers of our produce in other countries, and to that extent was prejudicial to our manufactures. The Chancellor of the Exchequer said the tax was an equal and a just one, and was fairly distributed. Now, in Liverpool, the shipping interest paid last year £92,000 as their contribution to lighthouse dues. One-third of that sum would represent the value which the shipping entering the port derived from the lights on the North aud South Channel, and, taking every light which could by any possibility be used by shipping frequenting Liverpool, the fact was that the shipping at Liverpool paid some £40,000 a year to maintain lights on the East coast or the North coast of Scotland, where, in passing along the coast, he had seen more lights than vessels, and which were of no service to Liverpool vessels. He denied that this was a fair or proper distribution of the tax. But the question had been argued as if it were something new, while every year the identical principle was affirmed by Parliament. In this year's Estimates there was an item of £38,000 for the erection and maintenance of lights around our colonial coast; last year it was £40,000, and the year before £42,000. That was an admission of the principle. The question would, probably, have to be again opened when the Civil Service Estimates came to be considered. What the toll is to traffic on the turnpike or the bridge the light dues are to our foreign trade—the former are fast disappearing, and I hope the latter will soon follow. Then there was the question of local lights. Why were these not embraced in the general lighthouse system of the country? Because the State said to the local authorities—"It is your duty to light your own ports;" and, surely, what the State said to the local authorities other nations might with equal justice say to us with regard to the lighthouse dues. To show how much the whole question bore upon our trade with other countries, he might mention that when America was asked to admit us to a share in their valuable coast trade, the answer of the Chamber of Commerce of New York was that when we abolished these lighthouse charges America might consider the question of the coast trade. He knew of no reduction of taxation which would be so generally useful as the remission of this £300,000. He admitted that the Resolution ought not to be forced that night. It was a question for the Chancellor of the Exchequer to consider when he had an available surplus, and he did hope that when another year came round the right hon. Gentleman would have such a surplus, and would be inclined to deal with this question more largely and more generously than he now seemed inclined to deal with it.

MR. BRIGHT: I am rather surprised that the right hon. Gentleman (Mr. Headlam) has placed this Resolution on the table of the House; because, even if I agreed with him as to the general question in regard to the light dues, I think the wording of the Resolution and the reasons given for proposing it, ought not to have been offered to the House as the motive for the change which my right hon. Friend desires. He invites us to say—

> "That it is the opinion of this House, that the practice of charging upon the shipping of this Country and the shipping of Foreign Nations the cost of maintaining the Lights, Buoys, and Beacons which light and protect the shores of the United Kingdom should cease, as being a practice unworthy of a great maritime nation whose ships are afforded the use of the Lights of other Countries free of all expense."

That I hold not to be a reason upon which the House of Commons should act in the removal of a considerable charge, and in transferring from a special portion of the population a tax of this magnitude and laying it upon the Consolidated Fund. My right hon. Friend the Chancellor of the Exchequer spoke of the chivalrous nature of the Resolution. I rather think it is one which is not put forward quite honestly. I do not believe that the shipowners of the Tyne really ask the House to make this change on the ground that set forth in this Resolution. Therefore, whenever the House chooses to come to any decision affirming that this change should be made, I hope it will do so for reasons and on principles more consistent with its character and with the interests of those whom we represent. After what has been said, I should feel a difficulty in defending any tax. The Chancellor of the Exchequer boldly acknowledges that all taxes are burdensome, irritating, and unpleasant; therefore he does not feel it necessary to defend any particular tax, having given, generally, a bad character to all taxes. In this case we are asked to remove to the general taxation of the country a special tax, levied on a special class for special purposes. There can be no doubt that every argument as to the general question of the removal of the tax would be just as good and unswerable if the Resolution applied to port or dock dues as to lighthouse dues. That, I think, will be acknowledged. Therefore, the House must take care what it is doing in this matter; because it is quite possible that, if this tax were got rid of this year, our friends from the shipping ports would, in another year, put in a plea that some other tax, levied for a special purpose upon a special class, should be removed from that class and be placed upon the Consolidated Fund. But, although this Resolution refers to one question, quite as many speeches have been made upon another question as upon that, and the noble Lord (Viscount Bury) has made an animated speech on the management of the light dues. Now, the first and the main question is a Treasury question, and the Chancellor of the Exchequer has given —I will not say a final and unanswerable answer, but he has done this—he has given a complete answer to any one who asks the House to say that this year, or at present, this tax shall be removed. My own impression is, that the real difficulty of the tax arises from its irregularity and its inequality. But, then, that itself arises from an attempt to make the tax bear more easily upon a portion of our shipping. The coasting trade pays much less than the foreign trade. If we were to attempt to equalize these two classes, and raise the light dues upon the coasting trade, the persons interested in that trade would be at the Trinity House, or the Board of Trade, or the House of Commons, to prevent such an infliction. If, on the other hand, the dues on foreign-going ships were reduced, the revenue of the Trinity House would be reduced to so low a point that, in all probability, it would be impossible to maintain the present lighthouses, and certainly there would be no chance of extending the system of lights. The equalization of the burden of those dues as between coasting and foreign vessels does not, therefore, appear to me to be practicable. Another question has been raised by the hon. Member for South Shields (Mr. Stevenson) who has referred to the great inequality of the tax as levied upon sailing vessels and steamers. He says that to alter it would be to reduce the tax upon steamers, and would be only to make the difficulty of the case greater than at present. That, I presume, is true; because steamers are constantly gaining on sailing vessels, and to increase the burden, comparatively speaking, on the latter, would be a very undesirable mode of proceeding. I admit that—I admit all that needs to be admitted. I agree in the general proposition that the tax itself on shipping is not open to complaint; but then I admit that there are just complaints to be made as to the irregularity with which it falls on different kinds of shipping, and on ships which go long and short voyages. Entertaining that view, I, as representing the Board of Trade, have been in communication with the most intelligent member of the Trinity House, Sir F. Arrow, for the purpose of ascertaining whether some considerable mitigation of that which is a real grievance could not be effected; and, although I do not anticipate that the grievance can be remedied within a short period, yet I hope that considerable relief may be given to some portion of the shipping interest by certain changes made in reference to this point. As to the Trinity House itself, an ancient corporation, which the noble Lord the Member for Berwick (Viscount Bury) seems anxious to send after the East India and the Hudson's Bay Companies, I would remark that it does not, I am glad to say, deserve to be classed, at all events, with the former. The Trinity House has, within the last few years, undergone great reforms, and many of the charges now brought forward against it were charges that were partially true in past times, but are only to a small extent true now. To show the extravagant nature of some of these charges I would only refer to one statement which was made by the noble Lord the Member for Berwick. He said, quoting from a Return, that the cost of its management amounted to £65,000, and what that sum includes, I am not, without the Return, able to tell; but surely the noble Lord does not mean that it includes simply the expenses of the twenty-one Elder Brethren who are members of the corporation. He told us, moreover, that in the United States six or eight naval and engineer officers discharged the similar duties, and that the expenses of management in their case were only £2,000 a year. Now, it appears to me that, if the noble Lord were as anxious to ascertain accurately what is true in this matter as to make accusations, he would have seen that it was not possible that the work of which he speaks could be done in the United States for the sum of £2,000, and that there is no such discrepancy between the rates of expense in the two countries as he has mentioned. The noble Lord is, perhaps, not aware that in the United States, where the Government bears the whole cost of lighting the coast, that cost is £50,000 a year more than the charge for lighting the coast of the United Kingdom. I do not know what the difference between the number of lighthouses is, or between the mileage of the coast in the two cases; but it is impossible to argue from what the noble Lord has told us that the management of the lighthouses in the United States is placed on a more economical footing than it is in this country. I have said that the Trinity House was an ancient corporation, and that it had been greatly reformed of late. I may add, although it may be a very foolish thing for me to say, that its composition is the best possible at the present moment. My experience, since I have been at the Board of Trade—and in that view I think I shall be corroborated by my predecessors in Office—leads me to believe that it very satisfactorily performs the duties with whose performance it is entrusted. No one can, of course, deny that it would be a good thing to bring the Irish, Scotch, and English management under one head. Many inconveniences would by that means be avoided—though not to as great an extent, I think, as has been pointed out by the hon. Member for Liverpool (Mr. Graves)—and the whole business of that department would no doubt be carried out at somewhat less expense. As things at present stand, the influence of the Board of Trade with the Trinity House is considerable; it is of that nature which a person holding the purse-strings can always exercise, and so far as I can see the Trinity House is anxious to adopt any suggestion or take any reasonable course which the Board of Trade should propose. I have already said that the question of equalizing in some degree the rates of the dues levied was under consideration. Beyond that, the question of a further change in the constitution of the Trinity House has also recently been the subject of constant discussion. It seems to me that it may be possible to maintain the Trinity House as it is with a smaller number of members, better paid, and, as a consequence, I should hope in some respects better qualified, for the performance of the work which they have to do than the average of the twenty-one Elder Brethren. It is, however, very difficult to make that change and to preserve the ancient constitution of the body; but, before very long in all probability, it will be the duty of Government and Parliament to consider whether any attempt should be made at any further half-way reform, whether we should stay where we now are, or whether the whole question should be thoroughly dealt with and an alteration effected by which the three departments for England, Ireland, and Scotland should be brought, by means of a well-organized system, under the Board of Trade. The House will, I am sure, excuse me if I do not give a confident opinion on that point. I have been at the Board of Trade only a short time, and I do not think I am so well-qualified as some men to form an opinion on a question of this nature. I shall have to consult the opinion of others, and I shall be very happy if in that decision on a matter of such great importance—and I consider it so—I shall have the benefit of the advice of some one more competent than I am to go upon. I state this to show that, at the present moment, the whole of the question is being considered most anxiously, with a view to some good result. If that be so—if we are endeavouring to relieve in some degree the unequal pressure on shipowners — to levy the light dues in a more equal and a more just manner, the House will agree with me there is no wisdom at this moment in adopting a Resolution which must embarrass the Government, especially with regard to a proposition in which there is involved a change in taxation. I will put it to my right hon. Friend, after the explanation I have made—and which I have made in all sincerity—whether he does not think the discussion has sufficiently advanced the views of all Gentlemen concerned without bringing the House to a division, and making the discussion and consideration of the question by the Government more difficult than the thing would have otherwise been?

Mr. HENLEY said, that after the speech of the noble Lord the Member for Berwick (Viscount Bury), who seemed to think it desirable that the Trinity House, like the East India Company and the Hudson's Bay Company, should be done away with, he felt considerably relieved by what had fallen from the right hon. Gentleman who had just spoken. The reply of the Secretary to the Board of Trade, he might add, gave him the notion—but that he knew such a thing was impossible—that the House was being engaged in something like a "put up" debate, because the discussion ran away altogether from the Motion of the right hon. Member for Newcastle (Mr. Headlam), and turned upon questions quite as large, if not more important; but everyone who had listened to the right hon. Gentleman the President of the Board of Trade must, he thought, feel satisfied that the whole subject would receive at his hands the most careful consideration. As to the question immediately before the House, he would remark that everybody considered it a very undignified proceeding to pay anything. The owners of ships had always thought they would rather not pay these light duties; but, in his opinion, those who derived an advantage ought not, as a general rule, to be above paying for it. He did not agree with the statement of the noble Lord that the lights would necessarily be better managed if they were paid for by the public; still less did he think they would be more economically managed by a Board consisting of naval officers and scientific men under the superintendence of the Admiralty. Their experience of dockyard management was rather against the success of such an experiment.

Mr. CANDLISH, as a representative of a large maritime constituency, desired to say a few words on this subject. If this were merely a question of management the statement of the President of the Board of Trade would be eminently satisfactory;

but the real point at issue was whether the owners of vessels should be called on to pay the dues for sustaining the lights around our coasts. He would give an illustration of the manner in which the levying of these dues on the shipping operated on the trade of the country. There was a Liverpool firm who traded between Antwerp and South America, and during the last fifteen months their vessels had been in the habit of calling at Southampton. Since January, 1868, seven voyages had been made; the gross amount of freight earned was £1,029; and the amount paid for lights in consequence of calling at Southampton was £80 18*s.* 5*d.*, or 8 per cent on the gross amount of freight earned. Another firm trading between Baltimore and Bremen, during 1868, had nine ships which called at Southampton with passengers. The amount received for carrying the passengers was £1,736, while the amount of light duties payable, by reason of their putting into Southampton, was £313 12*s.* 3*d.*, or 18 per cent of the gross freight carried. It was clear that these dues were a serious hindrance to trade, and, indeed, he knew of two, if not three, companies who, in order to avoid them, now called at Havre, instead of Southampton. The right hon. Gentleman the Chancellor of the Exchequer had maintained that the tax ought to be retained because its incidence was equal; but the President of the Board of Trade had shown conclusively that this was not the case. He (Mr. Candlish) maintained that the incidence of the dues was very unequal, and pressed more heavily upon some parties than upon others. If the right hon. Member for Newcastle pressed the Motion to a division he should certainly vote in favour of it.

Sir HEDWORTH WILLIAMSON said, he had been of opinion that this question was not likely to be considered by the Government in a proper manner; but since the President of the Board of had acknowledged the inequality of the mode in which the dues were levied, he should not have the slightest hesitation in voting against the Motion of his right hon. Friend the Member for Newcastle.

Mr. HEADLAM assured the President of the Board of Trade that he fully appreciated the spirit in which he was about to grapple with the question, and sincerely hoped that his right hon. Friend would be successful in his endeavours to reduce the inequalities of the tax, and to bring the different bodies into something like harmony. The manner in which the proposal had been met by the Chancellor of the Exchequer gave him no hope, and as the shipping interest had, however, requested him to bring the subject forward on a broad and general principle, he must ask his Friends to support him, as it was his intention to press his Motion to a division.

Mr. GLADSTONE regretted that after the speech of his right hon Friend the President of the Board of Trade, in which he referred to his recent accession to Office and his desire to make himself master of this question, his right hon. Friend (Mr. Headlam) asked them to go a division, in which the House was to commit itself to the opinion—

> "That the practice of charging upon the shipping of this country and the shipping of Foreign Nations the cost of maintaining the Lights, Buoys, and Beacons which light and protect the shores of the United Kingdom should cease, as being a practice unworthy of a great maritime nation whose ships are afforded the use of the Lights of other Countries free of all expense."

Now, if the House wanted to offer their opinion on the subject, these were not the terms which it ought to adopt; and there were many Gentlemen who, agreed with the opinions of his right hon. Friend, who would yet hesitate before they went into a Lobby in favour of this proposition. His right hon. Friend stated that the Chancellor of the Exchequer said this was a good tax. What, then? The negative of the Motion committed the House to no opinion, and left the Government quite free to propose what might be necessary when his right hon. Friend the President of the Board of Trade should have time to deal with it. But if the right hon. Gentleman could induce the House to vote with him it would be foreclosing the question, while those who voted with the Government would remain unpledged.

Mr. NORWOOD said, he was not altogether satisfied with the attitude taken by the Treasury Bench. The Chancellor of the Exchequer had laid down the dictum that England was not to relieve her trade of certain duties until certain other countries had relieved us from paying import duties on our goods. This was totally at variance with the principles of Free Trade.

Motion, by leave, *withdrawn.*

RECORDERS' DEPUTIES BILL.

On Motion of Mr. DENMAN, Bill to extend the power of Recorders to appoint Deputies in certain cases, *ordered* to be brought in by Mr. DENMAN and Mr. WEST.

Bill *presented*, and read the first time. [Bill 107.]

House adjourned at One o'clock.

HOUSE OF COMMONS,

Wednesday, 5th May, 1869.

MINUTES.]—NEW WRIT ISSUED—*For* Liskeard, *v.* Sir Arthur William Buller, deceased.

PUBLIC BILLS—*Resolution in Committee*—Election Commissions [Expenses].

Ordered — *First Reading* — O'Sullivan's Disability [108]; Election Commissions (Expenses) [109].

Second Reading—Hypothec Abolition (Scotland) [4], *debate adjourned;* Recorders' Deputies* [107].

O'SULLIVAN'S DISABILITY BILL.

ORDERS OF THE DAY POSTPONED.

MR. GLADSTONE, in moving that the Orders of the Day be postponed until after the Notice of Motion for leave to bring in O'Sullivan's Disability Bill, said: I will only say I am sure it will be the general conviction of the House that, when an exceptional measure of this kind is about to be proposed, it should be brought before the House at the earliest possible moment after the announcement of the intention of the Government, with a view to the proceedings being brought to an issue with as much expedition as possible, in order that full justice may be done to the individual concerned. I therefore hope that those Gentlemen who have Notices on the Paper will not grudge the time occupied in introducing this Bill.

MR. BAGWELL said, the measure about to be proposed was one of the greatest consequence. He would say nothing as to the merits of the case. No one in that House would suppose he held any opinions in common with the Mayor of Cork; but this was a grave constitutional question, and he wished to ask the First Minister of the Crown what time would be given to the House to consider it — whether the subject would be fully debated, or whether it was to be carried through in the same way as Bills relative to Imperial policy, such as the Habeas Corpus Suspension Act (Ireland), had been passed?

MR. GLADSTONE: My right hon. and learned Friend the Attorney General for Ireland will state the intentions of the Government on this subject. Our view is—without attempting to shut out the further judgment of the House, if grounds are made out for a longer time—that if permission is given to introduce the Bill it will be read a first time today: it will then be sent by the post this evening to the person immediately interested: it will be in the hands of Members to-morrow morning, and also in the hands of the Mayor of Cork. We think that on Tuesday next, perhaps, it will be convenient to have a Morning Sitting for the purpose of the second reading. That arrangement would give ample time to the Mayor of Cork to make an application praying to be heard by counsel at the Bar of the House, if he so desired it. That is the best judgment the Government can form of the course to be pursued in the matter; but, of course, that will not preclude us from considering any other steps that further consideration may suggest.

MR. BAGWELL said, he was perfectly satisfied.

Motion *agreed to.*

Ordered, That the Orders of the Day be postponed till after the Notice of Motion for leave to bring in O'Sullivan's Disability Bill.—(*Mr. Gladstone.*)

O'SULLIVAN'S DISABILITY BILL.

LEAVE—FIRST READING.

THE ATTORNEY GENERAL FOR IRELAND (Mr. SULLIVAN): Sir, I rise to ask for leave to bring in a Bill to disable Daniel O'Sullivan, esquire, from holding, enjoying, or taking the office of Mayor or Justice of the Peace, or any office or place of magistracy in the City of Cork, or elsewhere, in Ireland. I must say, before I make any remark to the House on this Motion, that I deeply regret that an exceptional measure of this kind should be felt to be necessary: but I think that, when I have laid before the House the statement of facts which the Government have considered of such a character as to leave them no alternative but to propose this exceptional measure, their conduct in doing so will meet with the approval of this House. It is right, in the first instance, to call attention to the precise position which the Mayor of the City of Cork occupies, so as to explain precisely how this measure is necessary, and how the administration of law and the peace of the city are deeply involved in its passing into law. The Mayor of Cork is, by virtue of his office under the Municipal Act, a justice of the peace of the City of Cork during his year of office, and is irremovable even by the Lord Lieutenant or by the Executive Government of this country. By virtue of his office under the Charter of the City of Cork he is entitled to be named the first Commissioner of any Commission to be executed within the county of Cork, and therefore to be associated with Her Majesty's Justices in the Commission of Oyer and Terminer and Gaol Delivery under which these Justices will sit at the ensuing Assizes for the City of Cork. Prior to the passing of the Municipal Act chartered justices were as irremovable as they are now; but there was a preliminary step by which the Executive Government of the day, under the rules of the statute of Charles II., might exercise considerable control over the persons elected to be the mayors of the corporate towns of Ireland. But all those statutes and rules were put an end to by the 3 & 4 *Vict.*, by one of the clauses of which the election of mayor—over which the Executive has no control—is authorized, and upon his election the mayor becomes justice of the peace, first magistrate, and first commissioner of the city in which he is elected. The present Mayor of Cork, Mr. Daniel O'Sullivan, entered upon his office as mayor in the beginning of the present year, and soon afterwards, in the discharge of the *ex-officio* office of justice of the peace, he began to sit, as he was entitled to do, in the police court of the City of Cork. From almost the first day he sat on that Bench down to the present time, it appears, from the official Reports in the possession of the Government, that his conduct was systematically devoted to lowering the administration of the law, and bringing it into contempt, and in using abusive and insulting language towards his brother magistrates. I will not weary the House by going through these reports; but I will refer to one or two expressions in the official Reports of the Government, which show the conduct of the Mayor as a magistrate of the city during the period he has been in office. He said—"I am here by the will of the people." "My opinion on this Bench is as good as the biggest Orangeman in the country." "Here in this city there is no freedom for the people. The prejudices of the other magistrates are against the people." "The administration of the law in this court has been unconstitutional." "I will apply to have all the magistrates suspended." "I should like to see the City of Cork without a single policeman." Several of these observations were followed by applause from the galleries; and the scenes in the court are stated to have baffled all description, and to have been a scandal upon the administrators of justice. With this state of things, as I have already stated, in the present condition of the law, the Government and the Executive are perfectly powerless to deal. It was possible, perhaps, for the Government to have indicted the Mayor for misdemeanour for misconduct in his office; but that is a course which, having regard to the position of the Mayor, is one which I could not recommend. The delay which must necessarily have occurred in such a proceeding would have been such that no trial could possibly be heard before the month of July, and, in all probability, not until November; and, having regard to that consideration, although I most seriously considered the matter, when I saw that the evil could not be stopped or diminished by the institution of a prosecution, and that the Mayor of Cork might insist on sitting upon the Bench, and that there were no means known to the law to prevent him from sitting, it was not thought advisable to institute a prosecution in relation to his conduct. However, on the 27th of April last, another circumstance occurred. The Mayor of Cork, as chief magistrate of that city, and charged with the preservation of the peace, and with holding out to everyone an example of law and order, presided at a banquet given in that city in honour of two discharged Fenian prisoners, called Colonel Warren and Costello. On that occasion, in the course of a speech delivered by him, the Mayor of Cork made use of the following language:—

> "The Mayor, in proposing the toast of 'Our exiled countrymen,' expressed his pleasure at having had so beautifully rendered a song which reminded him of many historical incidents of his country's annals, the bravery of Irish soldiers at home and abroad, their gallantry at Cremona as well as at Limerick, whose shamefully violated treaty he believed the energy and moral force of Irishmen would yet exact the fulfilment of. He believed that a spirit of concession had been aroused on the part of the dominant race. He did not say whether it was owing to Fenianism or to the barrel placed under the prison at Clerkenwell; but he believed he paid a solemn act of justice to his own countrymen—as solemn an act of justice as if he were a high priest—when he said those noble men, Allen, Barrett, Larkin, and O'Brien, who sacrificed their lives for their country, ought to be remembered and respected as good Catholics and good patriots. (*Cheers.*) There was at this moment in the country a young Prince of the English nation."

Then a person uttered a remark which I will not read, and another voice said, "No, he is welcome." Then the Mayor continued to say that—

> "When that noble Irishman, O'Farrell, fired at the Prince in Australia, he was imbued with as noble and patriotic feelings as Larkin, Allen, and O'Brien were. (*Great cheering, and cries of* 'He was.') He believed that O'Farrell would be as highly thought of as any of the men who had sacrificed their lives for Ireland. (*Loud shouts of* 'Bravo!') They all saw how a noble Pole had fired at the Emperor of Russia, because he thought that the Emperor was trampling upon the liberties of the people. (*Cheers.*) Well, O'Farrell probably was actuated by the same noble impulses when he fired at the Prince. O'Farrell was as noble an Irishman as the Pole, and as true to his country, for each was impelled by the same sentiments to do what they did. (*Cheers.*)

I do not think that any comment on that language is necessary; but it is language uttered by the Mayor of Cork, and it becomes most essential to the administration of the law that he should not be a person associated with Her Majesty's Judges in the Commission of Assize during the ensuing summer, and that he should no longer preside over the police office as a magistrate, or be held a person fitted for the administration of the law. It is right to state that the Mayor of Cork has put in print, what has been called in "another place," an explanation of his language, and it is due to him that I should read his letter. He says—

> "To the Editor of *The Cork Examiner.*
>
> "Sir,—I understand that the report which has appeared in your journal of the 28th instant, of what I am alleged to have said at the Victoria Hotel, has been misconstrued. To those who know me it is unnecessary to state that I would be the last man in Ireland to justify the taking of the life of either prince or peasant. I called O'Farrell noble, not because of what he did, but because I considered him to be sincere in his love for Ireland. That is, in my mind, a great virtue, and one that should endear his memory to his countrymen.—I am, Sir, your obedient servant,
>
> "Daniel O'Sullivan."

It appears to me, and I would appeal to every reasonable and fair-judging man, that this is no explanation whatever. The idea that any man having the love of his country at heart, could say that the wretched criminal who fired at the young Prince could be animated by noble motives is so revolting that I will not add another word on that subject. The Government had then to consider what course they would take. They might have directed the Attorney General to file an *ex officio* information in the Queen's Bench for the seditious and scandalous language of that speech; but here again they were met by another obstacle—that half-measures would not remove the difficulty and cause a cessation of the public scandal arising from the Mayor continuing in the situation of chief magistrate. But, while this matter was under consideration, a step was taken by the whole magistracy of the City of Cork, who assembled in solemn meeting, on the 1st of the present month, presided over by the Lord Lieutenant of the county—Lord Fermoy. The meeting was attended by thirty-two magistrates of all opinions and religions, and who represented every class within that city. At that meeting the following Resolution was passed:—

> "City of Cork, May 1.
>
> "At a meeting of the magistrates of the City of Cork this day, specially convened, the Right Hon. Lord Fermoy in the Chair, it was resolved unanimously that the following memorial to his Excellency be adopted, and forwarded by Lord Fermoy:—
>
> "'We, the undersigned, magistrates of the borough of Cork, beg respectfully to assure your Excellency that we have read, with feelings of the utmost abhorrence, sentiments lately expressed by the Mayor of Cork, at an entertainment, as reported in *The Cork Examiner* newspaper—namely, —"There was at this moment in the country a young Prince of the English nation. When that noble Irishman O'Farrell fired at the Prince in Australia, he was imbued with as noble and patriotic feelings as Larkin, Allen, and O'Brien were. He believed that O'Farrell would be as highly thought of as any of the men who had sacrificed their lives for Ireland,"—language which we consider deserving of the strongest reprobation under any circumstances, but especially so when another Royal Prince was in Ireland.
>
> "'We also complain of the frequent introduction of religious and political allusions on the Bench by the Mayor, and of the great discourtesy shown by him to his brother magistrates in court, and of the systematic and uncalled-for remarks

made on the constabulary in the discharge of their duty.

"'We apprehend that the administration of justice will be seriously lowered in the estimation of the community by the course pursued by the Mayor in his magisterial capacity in the police court of this borough.

"'We, therefore, pray your Excellency will be pleased to take such measures as may be expedient under the circumstances.'"

This memorial was signed by all the thirty-two magistrates, substantially representing the whole magistracy of the city, of every opinion and every creed. If there could be any hesitation on the part of the Government in taking this exceptional course, the Resolution passed at this meeting of the magistrates ought to have put an end to it, and the moment the memorial was brought under the notice of the Government the adoption of this exceptional step became a matter of absolute necessity. In this very deplorable state of things two steps might have been taken. It was open to the Government to bring in a general Bill to put the municipal justices under the control of the Crown; but, in considering that matter, it appeared to the Government to be improper and unreasonable to take from the municipal authorities the high privileges conferred upon them by their charters, and which, under the Municipal Act (Ireland), they had enjoyed for a considerable number of years. This being the only reason for taking such a step, the other municipalities would have thought it unreasonable that, because the Mayor of Cork had been guilty of this misconduct, they were to be deprived of what is to them a source of great pride—that their chartered justices should be free from any control on the part of the Crown. Therefore, we thought it more fair and reasonable that the Mayor of Cork should be dealt with personally for his own misconduct, than that all the other magistrates should be subject to what would be considered degradation. The proposal of the Government, strong as it is, is not without precedent. An Act of Parliament was passed in the 10th George II., which was framed with the greatest care, and received the greatest consideration. It enacted that the Lord Provost of Edinburgh should be removed from the position of Lord Provost, and disabled from enjoying or holding any office or place of magistracy either in the City of Edinburgh or elsewhere in Great Britain. The circumstances were these—Captain Porteous, having been found guilty of murder, was lying in prison under sentence of death, but had been reprieved by the Crown. A turbulent mob broke open the prison and executed him; and the charge against the Lord Provost was that, though he had reason to expect that such an offence would be attempted, he had not taken proper precautions to prevent it. The evil to be remedied in the present case is far greater than existed then, because this evil is the continued sitting of the Mayor after using the language uttered by him on the 27th of April, and after having conducted himself on the magisterial Bench in the manner he has done: and, therefore, the precedent in the case of Mr. Wilson, the Lord Provost of Edinburgh, is stronger than is wanted; for in that case the evil had passed away—there was no reason to think that another riot would take place, but here the evil complained of has continued and must continue unless something is done. We, therefore, propose by this Bill to declare—after reciting that the Mayor of Cork has so misconducted himself as to bring the administration of the law into disrepute and contempt, and has used language of a seditious and scandalous character, and has held up to public approbation the conduct of O'Farrell, in firing a ta Royal Prince in Australia—that having regard to these circumstances he shall be removed from the position of a justice of the peace and magistrate, and disabled from holding these offices either now or hereafter, and that the Corporation of Cork shall be charged with the election of another mayor. Having stated the grounds on which the Government have acted, I hope that this measure, exceptional as it is, and strong as it may be, will be considered adequate to the occasion, and not stronger than the circumstances of the case justify and require.

Moved, "That leave be given to bring in a Bill to disable Daniel O'Sullivan, esquire, from holding, enjoying, or taking the office of Mayor, or Justice of the Peace, or any office or place of magistracy in the City of Cork or elsewhere in Ireland."—(*Mr. Attorney General for Ireland.*)

MR. BAGWELL rose to say that, although he did not rise to oppose the introduction of the Bill, he must be allowed to say that he did not, however, approve it. He believed that a general Bill would have been much better. ["No, no!"] As to firing at the Prince, horrible as it was, he was quite certain that the Mayor of Cork never really meant what he was said to have uttered in the papers, and his subsequent explanation was far from being totally unsatisfactory. ["Oh!"] The Mayor denied that he had any wish to see anyone assassinated. He admitted that the Mayor's language was a sort of general apology for political assassination, but an assassin had been held up in all times—["Oh!"] William Tell was held up as a hero when he shot the tyrant of his country. ["Oh!"] During the progress of this Bill, however, he should certainly take the opportunity of expressing his dissent from a measure of this kind respecting an individual, when a general measure, if introduced, would have been perfectly just and lawful.

MR. BOUVERIE: I may be permitted, I trust, to say to the House that while I must share with every right-minded man and every Member of this House the just indignation and horror with which we have read the language attributed to the Mayor of Cork, apparently justifying and expressing approbation, in the most public manner, of attempted assassination of the most outrageous kind—still I may be permitted, at the same time, to express my great doubts whether it is wise and right to deal in this exceptional way with any particular offender against what is supposed to be the law. The Bill is, practically, a Bill of Pains and Penalties against the Mayor of Cork, for language of the most outrageous description which he has used, or is said to have used, in the discharge of his office. I believe that since the Revolution only one or two Bills of this kind have been passed by Parliament. The precedents offered in justification of them are precedents of evil times, when the power of Parliament was used to work gross injustice; and all, who have studied the history of those times, must feel regret that the exercise of the power of Parliament was ever made upon such occasions. Such Bills have never been regarded with great favour in this House. Now the very Act put forward as a precedent —that relating to Captain Porteous—was passed in the days of the ascendancy of one of the most powerful Ministers that this House or this country ever saw—Sir Robert Walpole—and yet the Bill passed by a very narrow majority—I believe it was only by the casting vote of the Chairman that the Bill disabling the Lord Provost of Edinburgh from holding office was passed through Committee in this House. It must be borne in mind that, on that occasion, the Bill was initiated in a far graver and more solemn way than this Bill proposed by Her Majesty's Government. It was introduced in the House of Lords, after evidence heard at the Bar upon oath, justifying, *primâ facie*, the accusation that was made, not only against the Lord Provost, but the whole municipal government of Edinburgh, of neglecting their duty in the preservation of the peace upon the occasion of those riots, and it was only after such a solemn investigation that the Bill was introduced, and by a narrow majority carried in this House. [See *Hansard, Parl. History*, vol. 10; *State Trials*, vol. 17.] I doubt myself whether it is ever right by an *ex post facto* law of this kind to deprive any man of his office or freehold contrary to the principles reverenced by our ancestors, and contrary to the spirit of what—although the document is by many now-a-days considered somewhat musty —I still must hold in reverence—I allude to Magna Charta. This officer practically has been guilty of a gross breach of his duty; and I gathered from the Attorney General for Ireland that there was an ordinary proceeding by which he could have brought this officer to judgment in the courts of law before a jury of his countrymen. It may be highly inconvenient—it may be highly detrimental to the conduct of the Executive Government—that, owing to the law's delays, this officer cannot be brought to trial in the ordinary way within a moderate time. This, however, is an argument upon inconvenience—high inconvenience if you like —State inconvenience if you like—but it is merely an argument founded upon inconvenience, and I beg again to say that I doubt very much whether it is wise or prudent for Parliament to pass any extreme measure of this kind directed against an individual officer by name, suspending him from his office, because the course of law is so slow that he cannot be brought to account within a few months by the Attorney General in the ordinary discharge of his duty.

I am aware that it may be unpalatable to ventilate these somewhat, perhaps, old-fashioned notions of respect for individual rights and antipathy to Bills of Pains and Penalties which our forefathers strongly entertained; but which we, perhaps, are now disposed—in the pursuit of a valuable object, no doubt—to neglect and over-ride: but I think I should not be discharging my duty to my constituents, or upholding the respect for the majesty of the law, and that hatred of *ex post facto* legislation where the individual rights and liberties of our fellow-subjects are concerned which have been long entertained in this House, if I did not venture, with all humility, to express, as I have done, my doubts about the wisdom of such a course as is now proposed to be taken.

Mr. G. H. MOORE said, he thought every Member would agree that the Attorney General for Ireland had introduced this measure with the greatest consideration and discretion. Hon. Members would best imitate that consideration and discretion by withholding any comments upon the Bill, or upon the causes which had led to it, till the Mayor of Cork had enjoyed the opportunity afforded to him by Her Majesty's Government of stating his own case.

Sir FREDERICK W. HEYGATE said, that while fully agreeing that the time had come when action of some kind became indispensable, he considered that the Government had brought this unfortunate business very much upon themselves. Looking back at what had occurred during the last few months——upon the release of so many of the Fenian convicts, some of whom had been convicted under circumstances of the utmost gravity—one could hardly feel surprise if the Mayor of Cork had really committed the lesser fault alleged on his behalf by some of his apologists. One thing struck him greatly in all the debates relating to the condition of Ireland, and that was the ungenerous treatment the noble Lord the late Chief Secretary for Ireland (the Earl of Mayo) had experienced in that House. It was well known that to many points of that noble Lord's policy he (Sir Frederick Heygate) had been strongly opposed; but it was only just to that noble Lord to re-call to mind the signal exertions which he had made during a period of two years to uphold the administration of justice—exertions which had been crowned with unexampled success, and yet during the whole of that time there was hardly a single life lost. Looking upon the administration of justice and the upholding of the law of the land as matters of primary importance, he (Sir Frederick Heygate) could not but regard the course which the present Government had adopted in this matter as a great mistake—so serious, in fact, did he consider it, that he had always thought there must have existed reasons which were not disclosed—reasons growing out of some difficulty connected with International Law, or with America, which were unknown to the public—leading to the extraordinary course which had been taken of releasing these Fenian convicts—men who were undoubtedly guilty, and were only convicted after long and painful trials. He deeply regretted what the present Government had done; and he took this opportunity of declaring that the Government ought to be very much obliged to the noble Lord—now at such a distance from this country—for his long and patient efforts to defeat and terminate the Fenian conspiracy. During a large part of the time that the noble Earl held Office he had personal knowledge of the fact that the life of the noble Earl was exposed to danger; yet he had never heard from the present Government, or from the Benches opposite, one word of recognition of those services; and from the silence maintained with regard to the conspiracy itself the Mayor of Cork might possibly have supposed that the thing was not seriously disapproved. The result had been that it was now found necessary to introduce a Bill levelled against a particular individual, with the effect, of course, of making a martyr of him in the eyes of a large section of his countrymen. He regretted acts of favour shown to extreme opinions in one part of the country, because they naturally provoked retaliation in districts entertaining opposite opinions. The right hon. Gentleman the Chief Secretary for Ireland (Mr. Chichester Fortescue) was not in his place that day to give an answer to the Question, of which he had given him notice, as to his reason for asserting that two mobs in Londonderry had fired upon each other, and that the city had in consequence been proclaimed. The coroner's inquests which had since been held had shown that there were not two mobs, and that they did not fire upon each other; but that it was the police who fired. Nobody could regret these things more than he did. He did not justify violence coming from any quarter; but it was too true that outrageous acts permitted and condoned at one end of the country had a tendency to provoke retaliations at the other. He had merely risen to point out what he considered the deplorable consequences of letting out convicts who had been tried fairly, convicted by juries impartially chosen, in courts presided over by upright and distinguished Judges, for crimes condemned by every man of right feeling in the country. If men so convicted were only sent upon what really were pleasurable excursions to the other side of the world —being only sent there to be brought back again—the common people would naturally believe that the law was not to be maintained; and the consequences which they now saw were the legitimate results of the action of the Government.

The ATTORNEY GENERAL said, I shall best consult the feelings of the House if I abstain from any reply to the attack just made upon the Government—for the House, I believe, are not now disposed to enter into a general debate upon Irish affairs. I shall therefore confine the very few words which I have to offer simply to the question that is before us; and I rise chiefly for the purpose of setting my right hon. Friend the Member for Kilmarnock (Mr. Bouverie) right upon the legal question to which he has referred. My right hon. Friend said that in this case we were departing from the precedent afforded by the case of the Lord Provost of Edinburgh, inasmuch as in that case, before the Bill was introduced, an opportunity was given to the accused of being heard in his own defence.

Mr. BOUVERIE: Will the learned Gentleman pardon me? What I did say, or meant to say, was that the Bill was introduced after evidence inculpating the Provost and magistrates had been heard at the Bar of the House of Lords.

The ATTORNEY GENERAL: That is exactly what I understood him to say. I believe he is mistaken in that. He will find that the Bill was introduced before evidence upon oath was taken; and that time was then given to the Provost to appear before the Bar of the House—I think a fortnight's notice was given him—he then did appear to oppose the second reading, and evidence upon oath was taken. If I am wrong in that I shall be glad to be corrected. I rise merely for the purpose of setting my right hon. Friend right in that matter. After the very prudent suggestion of the hon. Member for Mayo I do not propose to enter into the merits of the case. I shall merely observe that the case against the Provost of Edinburgh was one of nonfeasance, whereas this is a case of misfeasance, and is therefore stronger than the precedent cited by my right hon. Friend the Attorney General for Ireland. In the former instance all necessity for interference had ceased before the Bill passed, whereas here the neceessity still continues. We are told that the Bill levelled at the Provost of Edinburgh belonged to an exceptional class of legislation; but it must be obvious also that it dealt with an entirely exceptional kind of offence. From the time the Act against the Provost of Edinburgh passed down to the present hour I trust that no such offence has ever been committed by any person holding public office in any part of the United Kingdom.

Mr. VERNON HARCOURT thought his hon. and learned Friend the Attorney General for England was mistaken in his reference to the Bill affecting the Provost of Edinburgh. That Bill, which came down from the House of Lords, was read a first time, he believed, on the 16th of May, and was ordered to be read a second time upon the 4th of June; but with a view to its second reading on that day, the Attorney and Solicitor General for England were ordered, on the Report of a Conference with the Lords on the 18th, to be prepared with evidence in support of the Preamble of the Bill, and it was not until two days after that Order was made—namely, on the 20th, that the Provost of Edinburgh petitioned the House to be heard against the Bill. The materiality of this distinction lay in the fact, that the Bill being one of Pains and Penalties, the promoters were bound to tender evidence in support of the Preamble, independently of whether the persons affected by its provisions appeared against the Bill or not. He wished, therefore, to ask the right hon.

Gentleman the Attorney General for Ireland what course it was proposed to take on Tuesday next, when the Bill stood for second reading; and whether, irrespective of any action which might be taken by the Mayor of Cork, evidence would be tendered by the Government in support of the Preamble—following the precedent of the Porteous case?

The ATTORNEY GENERAL observed that he had referred to what took place in the House of Lords. The Bill was introduced there, and he believed that evidence was taken, not upon the introduction, but on the second reading.

Mr. WALPOLE: I do not wish to enter into a general discussion of the very important measure brought in by the Attorney General—that some such measure is requisite I think must be clear to every Gentleman in this House —but I merely wish to call attention to the precedent adverted to by my right hon. Friend the Member for Kilmarnock (Mr. Bouverie), which seems to me more consistent with the general principles of the administration of justice than the course which, in this particular instance, we are invited to pursue. The Attorney General will find that at the meeting of Parliament, in February, the Porteous riots were taken notice of in the Speech from the Throne. On the 10th of February a debate arose respecting those riots, when Lord Carteret, not then a Minister of the Crown, made a suggestion in the House of Lords that a full inquiry should be instituted; and specific Resolutions were moved and adopted as to the means by which that inquiry should be conducted. That inquiry was prosecuted and witnesses were examined on the 7th, the 16th, and the 18th of March, but no Bill was brought into the House before the 4th of April. I merely mention these facts now in order that the House and the Government may have the opportunity of considering them before the second reading, and so that some greater precautions may be taken than seem to have been taken at the present moment, with a view of insuring that the Mayor of Cork, who is now put upon his trial, shall, at all events, have the fullest and fairest opportunity of bringing his case under the notice of the House.

Sir JOHN GRAY said, he was sure there was no man of right feeling in that House, or outside of it, who did not deprecate the language alleged to have been used by the Mayor of Cork; but the more they deprecated that alleged language the more necessary he felt it to be to have full proof before the House that the language alleged to have been spoken was really spoken by that official. The House was asked by the Attorney General to act in a *quasi*-judicial character, and up to this there was not a particle of evidence before them. For the sake of his own deservedly high repute—for the sake of the high character of the Government he represented —for the sake of the judicial reputation of that assembly, he would entreat the Attorney General not to rush hastily to results, but to take each step with that deliberation which the gravity of the case demanded, and not to press on the House the necessity of dealing with a man's character and future status in society without proof, without even the tender of proof, that he had used the language attributed to him. The right hon. Gentleman opposite (Mr. Walpole) showed clearly that, in the Edinburgh case, the first step taken was the offering of proof, and that then, but not till then, the Bill was read a second time. There was no proof as to the charge brought against the Mayor of Cork save a newspaper report and a personal statement; and he hoped that the House would not proceed with a Bill of Pains and Penalties on the authority of a newspaper report, or even on the hearsay statement of his right hon. Friend the Attorney General. No man ought to be condemned unheard —nor even asked to defend himself, until evidence of guilt was tendered to the tribunal. The Preamble of the intended Bill alleged that the Mayor of Cork spoke seditious words, and on that unproven Preamble they were asked to degrade him before the Empire. At such a moment as that, if the Mayor used the language palliating the attempt to assassinate the Duke of Edinburgh imputed to him, no degradation the House could inflict would be too severe a punishment, and no Irishman would seek to shield him. A Prince of the Blood has, while they were debating, been sojourning in Ireland. His manly bearing, and generous frank manner, caused him to be welcomed with enthusiasm wherever he went, and if any man, but above all a high official, were proved to have used words suggesting that an attempt to assassinate that noble and confiding youth—who was then the national guest in Ireland—would be ascribed to honourable motives, public detestation would follow him, and the most public degradation from office and the most entire disability in the future which Parliament could inflict would be awarded with the approval of all good men. But before this House, acting judicially, can either punish or degrade it must have proof, and it was not proposed to offer proof, but only to ask the accused to disprove the accusations. He hoped that the Attorney General would tender proof first, and thus give the weight and authority of justice and calmness to the judicial action of the House. He objected to any other course as a matter of justice to the accused; and he objected to a precedent being set now of assuming guilt on the authority of a newspaper report, which would hereafter warrant some future Attorney General in alleging that an obnoxious political opponent had used seditious words and ought to be degraded, without proof, and perhaps contrary to the truth and to justice. He also objected to the proposed form of notice to the Mayor of Cork—the sending a copy of the Bill to him by post. That would not constitute a fair notice to a man about to be put on his trial. He may not be in Cork, and that notice by the post may not reach him for many days. Due time ought to be given him—due notice ought to be given him; and this House would, he hoped, refuse to proceed with the next stage till full proof of the words spoken was laid before it. If the Mayor of Cork used the alleged language, no punishment the House could inflict would be too great; but the House, in sustainment of its own character, must refuse to sit in judgment unless evidence be duly offered on which to act. He hoped, therefore, that there would be no precipitancy, but that a fair trial would be afforded, as much for the reputation of the House as for the sake of justice to the accused.

Mr. NEWDEGATE thought the right hon. Member for Kilmarnock had just added another important service to those which he had frequently rendered to the House. The observations of the right hon. Gentleman were entitled to great weight on such a subject. This was a case of *ex post facto* legislation; and having often warned the House that they were parting with securities which might be found necessary in troublous times, he felt it his duty to represent to the Government that they would have done better if they had presented the evidence taken before the Australian Legislative Assembly, with respect to the case of O'Farrell; for alluding to which, the Mayor of Cork, as some Members believed, had been betrayed into the use of expressions unworthy of his position and his office. He could not but think that it would have been better for the Government to have pursued the course which he had recommended — a course more respectful to the Legislature of Australia, which had to deal with the offence for adverting to which the House was asked to pass an *ex post facto* measure against one of Her Majesty's subjects. He thought it would be much better to extend legislation so as to render any persons holding official positions liable to penalties for offences of such a nature. He understood that Warren and Castello had gone to another meeting, and had again used seditious language. It might have been good to remit the sentences of these men; but when the offence was repeated there ought to be some means of repeating the penalty. He rejoiced that the Government had determined upon some action. He wished that it had been more general and more in accordance with the precedent of the House and of the Legislature; but he should be happy to render his humble support to the Government to remedy an evil the extent of which he was afraid he did not fully comprehend.

Mr. MAGUIRE said: Sir, I can assure hon. Members I rise with feelings of the greatest embarrassment and pain to take any part in this most unhappy discussion; but, in a spirit of fair play, I ask the indulgence of the House while I say a few words on the prospect before it. I have been for twenty years, and I still, though through inadvertance, continue to be a member of the Corporation of Cork, and with my hon. Colleague represent that city.

Mr. MURPHY: I am not a member of the Corporation.

Mr. MAGUIRE: My hon. Friend was, but is not, a member of that body. What I say is he represents the City of Cork, as I do. For me personally not to express horror of the meaning popularly attributed to the words alleged to have been used would be a personal disgrace to myself. But, Sir, I feel bound, as a matter of justice to the city which I represent, to say that, in the opinion of the inhabitants generally, the Mayor never intended to convey the meaning popularly attributed to his words, assuming them to have been used; and I express my conviction that, if it were believed by any class of the community that the Mayor did mean to applaud, or justify, or countenance or encourage assassination, there is no class in the community by which he would not be openly and indignantly repudiated. But neither did the Mayor ever intend to convey any such meaning, nor do the people of Cork believe he did. I am in communication not only with the Mayor, but with several gentlemen in my city; and it would be a cowardly and unworthy act on my part if I did not express, not only what the Mayor himself asserts, and what I am certain is true, but what is the general conviction of his fellow-citizens. This is the belief expressed by several influential gentlemen, as well as of the great body of the people. Of the tone and manner of the statement of the Attorney General I have no complaint to make — it was temperate and moderate; but it contained certain misstatements of facts, attributable to a want of local information. The Attorney General, for instance, was not quite accurate in his statement that the Mayor was "constantly insulting and abusing his fellow-magistrates." No doubt the Mayor, in the early part of the mayoralty made use of one or two expressions which excited indignation on the part of certain members of the magistracy; but there was as much temper shown by them to him as he exhibited towards them. ["Oh!"] I much deplore the scenes which have taken place on the Bench; but I assert that the temper exhibited against him aggravated the squabbles which ensued, and which I deeply regret. It has been alleged against the Mayor that he went on the Bench alone, and liberated prisoners of his own authority. On this point I desire to make an explanation. The fact is, and I state from my personal knowledge, that it has been a common practice, not only of the chief magistrate of the city, but of other magistrates, to go, as an act of mercy and humanity, to the Bridewell on Sunday, to liberate unfortunate drunkards who had been taken up at various hours on the previous Saturday. These people had been in custody for ten or twenty hours, and they would be in custody for ten, or twenty, or twenty-four hours more, if they were not liberated on the Sunday; and as an act of mercy and humanity they were so liberated, provided there was no other charge against them, leaving it open to the police to summon them in certain cases if they thought fit. It has been the custom of the chief magistrate, and I have known the same of other magistrates, to come to the court at a somewhat earlier hour on Monday morning for the purpose, to use a technical phrase, of "clearing the dock." I have done this myself, and without having caused any indignation by so doing. The Mayor has done this. He has dealt with drunkards himself, and discharged them with a caution, or without a fine; but he did not deal with cases requiring the presence of two magistrates. I myself found that leniency was the most beneficial course in dealing with drunkards, and I have discharged them on promise of amendment; and I have found this plan to be, in many instances at least, as efficacious as fines in addition to the imprisonment they had undergone. I say I have adopted, so far, the same course as the Mayor has done; and by so doing I have never, to my knowledge excited the indignation of a single human being. So much for the conduct of the Mayor of Cork with respect to the discharge of prisoners; and now what is really the condition of the City of Cork, notwithstanding the language said to have been uttered by the Mayor? I venture to say there is as much peace and order in the City of Cork at this moment as there ever has been in it. [*Laughter.*] Really I cannot see the cause for laughter. There has been a great deal of exaggeration as to the state of Cork; all kinds of sensational announcements have been made with respect to its condition, and the public mind has been much inflamed with respect to it by those exaggerated statements. But, Sir, the normal condition of that city is one of order and tranquillity; and I assert that life and property are as secure in Cork as in any other portion of the United Kingdom. Even under its present chief magistrate, against whom so much is alleged, I repeat it is as tranquil, and life in it as secure, as in any other portion of the United Kingdom. Therefore I see nothing whatever absurd in the statement I made. There was a meeting held on Sunday, at a place known as the New Wall, and that meeting was attended by several respectable persons. At that open-air demonstration, at which, as I understand some 1,500 persons were present, it is true the magistrates were denounced for their conduct towards the Mayor. But upon what ground did they do so? Not that they approved of the language said to have been used by the Mayor, but that they did not believe he used the words attributed to him in the sense which was alleged, and that they did not believe he ever intended, or could intend, to convey the meaning attributed to him. But were the words complained of really used? The Mayor more than once, in public as well as in private, said that he could not say whether the words attributed to him were those which he used. Let hon. Gentlemen remember that it was late at night and after supper that the words were alleged to have been uttered. [*Laughter.*] I am intimating as delicately as I can to the House the period of the twenty-four hours, and the circumstances under which the words were said had been used; and the Mayor has declared that he did not know and could not say whether he ever used those words or not. Therefore there was no guilty knowledge of and no adoption of the words alleged to have been spoken; besides there is the distinct and solemn declaration of the Mayor that if they were uttered, he had no intention whatever of using them in the sense attributed to him. There was another meeting in Cork on Sunday last, and it is specially worthy of notice, for we have the Mayor's own sentiments there expressed. Had I known that there would have been any discussion on the subject to-day, I would have brought down with me the extract from the paper containing a report of what he said. A vast number of people went to his house to express sympathy with him, and a belief in his innocence in this matter; and being compelled to speak, he expressed in the strongest manner his horror of assassination, and declared that if he saw a pistol aimed at any one he would be the first to turn it aside — that not only would he protect a Prince, but even the humblest person in the community, from the attack of an assassin. Surely it is only fair that this much should be said of one who is the subject of the grossest misrepresentation at this moment. To accuse him of sympathy with assassination was to do him the greatest wrong. ["Oh!"] As to the personal character of the Mayor of Cork, I am in a position with hon. Friends of mine, to give the strongest testimony. And now, Sir, I would mention a very remarkable instance of the feeling entertained towards him personally by those who do not sympathize with him in his strong opinions with respect to existing politics or matters of historical interest. The day previous to his election as chief magistrate a meeting of thirty-five members of the Liberal party was held with the purpose of nominating a candidate, so as to avoid disunion; and not only was he adopted unanimously by that meeting, but his proposer was a gentleman who had made himself conspicuous in the manner I am about to state. Hon. Gentlemen may remember the name of Captain Mackay, one of the Fenian prisoners, respecting whom a very general interest was felt, especially from the modest and respectful manner in which he bore himself on his trial before that eminent Judge, Mr. Justice O'Hagan, now Lord Chancellor of Ireland. The prisoner was sentenced to ten years penal servitude; and for his wife — a young Cork girl whom he had married some time before—the deepest commiseration was generally entertained. A sum of money, amounting to £250, was raised by subscription to set her up in business. That I regarded as a very just and humane act on the part of the public. One gentleman, however, in order to show his disapproval of the subscription, ostentatiously contributed to that fund the sum of a single farthing; in fact he forced that amount upon the collectors, and insisted on having his name published as a contributor to it to that extent. And yet Alderman Gould, for that is the gentleman's name, was the very person in that meeting to propose Mr. O'Sullivan as Mayor of Cork. He did so, not because he sympathized with certain opinions entertained by Mr. O'Sullivan, but upon the ground of his being a worthy and honourable man, a good citizen, an upright merchant, humane and kind of heart; and Alderman Gould then predicted — though in this respect he proved himself a false prophet — that Mr. O'Sullivan would be Mayor of Cork for the second year. I mention this fact as indicating the feeling entertained towards him, and the estimation in which he is held, as a private individual. I will only refer to one other point, and that is in reference to the Mayor's alleged conduct towards the police. The Mayor of Cork is charged with having attempted to bring the police into public odium and disgrace. Now, I, for one, have always endeavoured to uphold the police so far as I could justly do so; for not only do I consider them a most valuable body of men, but I believe it would be impossible to do without them. But, at the same time, while I bear my testimony to the general usefulness and good conduct of the Irish constabulary, there are members of that force who have taken advantage of particular circumstances in Ireland, and who have thought more of their own promotion than of maintaining the public peace. It has been too much the practice in my city—possibly it was the same elsewhere — indeed I have no doubt it prevailed in other parts of Ireland — when a man was charged with any offence, not to say political, but in which there was the merest suspicion of its having a political complexion, to remand the accused for a period of eight days, and to do so on the simple statement of a single policeman. Hon. Gentlemen must admit that this was a direct and flagrant violation of the liberty of the subject. This constant remanding excited considerable indignation in the public mind, and was felt strongly by many respectable inhabitants of Cork; and the Mayor believed that he was fully justified in raising his voice against it and those who adopted it. Therefore, so far as the police were concerned, there really is some allowance to be made for the language the Mayor had used with respect to them and the practice to which I refer. And now, Sir, I must express my most solemn belief that that gentleman never meant to use the words alleged to have been used by him in the sense which has been attributed to him. Unfortunately he has not the same power of expressing his meaning—by that I mean the same facility of expressing it accurately—in fact with the same precision which distinguishes so many Gentlemen opposite, and more especially the right hon. Gentleman who leads the Opposition, and which prevents the person so gifted from the risk of raising false impressions as to his words or to his meaning. I shall now conclude, Sir, with again expressing my solemn conviction that Mr. O'Sullivan, if he did use the words, never did so in the sense attributed to them; and my belief that any such notion as that popularly conveyed in them is foreign to his nature and his principles. I must remind the House that the Government are not only bound to afford the fullest possible means to the Mayor of Cork proving his innocence, but that the *onus probandi* lies on the Government of proving his guilt in this matter. The House owes it to its own character and dignity that unless it is convinced of the guilt of this gentleman — that is of his guilty intention of the meaning attributed to him — it will not support the Government in proceeding with a Bill of this nature.

MR. DISRAELI: I need not advert to the important point which has been referred to by the hon. Member for the county of Derry (Sir Frederick Heygate) as to how far the conduct of the Mayor of Cork may have been encouraged by the general policy of Her Majesty's Government. I have no doubt that, in due course, it will be impossible not to bring that subject before the House; but I think that it is unnecessary to introduce it into the discussion now before us. The Mayor of Cork was dismissed from the county magistracy by the late Government for some seditious talk of which he had been guilty. Since he was dismissed a revolution has been commenced in Ireland—I use the language of Her Majesty's Government—a very considerable revolution is now occurring in that country, and, moreover, the gaols of Ireland have been opened, and assassins and traitors have been let loose over the land. I think it not improbable that those circumstances may have acted upon the temperament of the Mayor of Cork — a man who had been dismissed from the county magistracy some months before for seditious talk—and that this may account for any profligate folly that can be alleged against him. But I believe I am correct in saying that, some months ago, the Mayor of Cork commenced using language from the official Bench of a seditious character; and I should wish to know why the Attorney General for Ireland did not then take steps to put a stop to such conduct? The Attorney General for Ireland comes down to this House and says he cannot resort in this case to the usual modes of defending the law and the interests of society, because those modes would occupy too much time before his object could be accomplished. But if months ago the Attorney General for Ireland had done his duty he need have had no reason to allege this circumstance in mitigation of his conduct; neither would the House of Commons have been called upon to consider to-day what, no doubt, all must admit to be a very extraordinary proposition on the part of Her Majesty's Government. We must take care not to allow ourselves to be led away in the present case by any prejudice. No prejudice against the Mayor of Cork or any other persons should influence us; or, if any such prejudice exists, it should rather induce us to be more wary as to every step we take, and to beware lest we forget that the course we may think fit to adopt in this matter concerns not so much the Mayor of Cork as the reputation of the House of Commons. Everyone will admit that we are asked to assent to the introduction into the House and, if the advice of the Government is followed, to pass a Bill of Pains and Penalties. That is a very grave proposition. I do not mean to say that there may not be occasions when it may be our duty to support the Government when it proposes that we should pass such a Bill; but what I say is that we should not do such a thing hurriedly. We should know to what we are going to commit ourselves before we assent to such a proposition. Under these circumstances I must urge the House to consider its position with the greatest deliberation before it agrees to the proposal of the Government in this matter. I speak in the presence of those who have much more knowledge of the subject, being within the range of their profession, than I can pretend to; but I am not myself aware of any Bill of Pains and Penalties having been introduced founded upon merely words spoken, and therefore I should like to hear from some of the high authorities present whether such is the case or not. The learned Attorney General would, indeed, appear to found this Bill not merely upon spoken words, but upon some malfeasance on the part of the Mayor of Cork. Now, malfeasance certainly does not apply to words, and I know of no act of malfeasance on the part of that individual that has been alleged by the Attorney General. If the act alluded to was his taking the Chair at the dinner given in honour of these assassins and traitors who have been let out of prison, at all events let us clearly understand that such is the act. In that event we should, of course, have to consider the policy of the Government, who, by their conduct, have rendered such an act of malfeasance possible. I say that, the moment Her Majesty's Government remitted to these men the term of their imprisonment, it can never be alleged afterwards that, because the mayor of some town chooses to preside over a meeting held for the purpose of celebrating their release—though it might be an act of the greatest indiscretion and folly, and, socially speaking, in no way to be justified—it can be regarded as a political offence upon which a Bill of Pains and Penalties can be based. Although I am not aware that a Bill of Pains and Penalties has been introduced for merely spoken words, I do not mean to say—I give no opinion upon the subject—but I do not mean to say that extraordinary circumstances might not occur that might justify such a course. We will, therefore, assume for argument's sake, that it is an advisable expedient, both as regards justice and policy, that, in consequence of words spoken, a Bill of Pains and Penalties should be introduced into Parliament. But, if you adopt that course, I say that you are bound to satisfy Parliament that your facts are accurate, that your case is grave and substantial, and you are not justified in asking Parliament to agree to a course so extraordinary and in itself so unconstitutional, unless you have taken pains to satisfy the conviction and the conscience of the nation that there can be no mistake as to the facts upon which such legislation is recommended. But what is the statement which has been made by the Attorney General for Ireland this morning?

I have never heard such a thing during the whole time I have sat in this House. He asks us to pass a Bill of Pains and Penalties upon the mere *ipse dixit* of one of the Law Officers of the Crown. He makes a certain allegation—he quotes a certain speech which he says has been made by the Mayor of Cork, and then he says that Her Majesty's Government—believing this to be a correct report of what passed—proposes that the House of Commons shall pass a Bill of Pains and Penalties upon the mere *ipse dixit* of an Irish Attorney General. He says that he believes that such a thing that he has read in the newspapers, or which has been communicated to him by some third person, is a correct statement, and we are asked to assume the correctness of those statements without the smallest proof being offered in support of them. I say, we should have these points put before us in a manner that can admit of no doubt. But, instead of such a course being recommended to us, we are asked to legislate upon allegations which are not even attempted to be proved before us. Are there no modes by which this proof can be offered to Parliament? Such modes have already been referred to by the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie). He has brought before the recollection of the House a precedent which may well serve as our guide in this matter. Under these circumstances the House may well hesitate to pursue the course recommended by Her Majesty's Government. The course which the right hon. Gentleman the Member for Kilmarnock points out as the proper one to be adopted, if Parliament is to pass an exceptional Act in the form of a Bill of Pains and Penalties to meet this peculiar and individual case, is that the Bill should be introduced in that House of Parliament where evidence can be taken to substantiate the Preamble of the Bill, and to satisfy Parliament that their legislation will be based upon facts, and not merely upon the *ipse dixit* of the Attorney General for Ireland. When the Attorney General for England rises to split straws about evidence being taken in the case of the Provost of Edinburgh after the Bill was introduced into the other House of Parliament and not before, I ask, what has the House of Commons to do with these considerations? What the House of Commons has to do with, and will insist upon, is that the facts upon which they are asked to legislate in this matter shall be proved to their satisfaction by authentic evidence; and we know that if the Bill were to be introduced into the other House, where evidence can be taken upon oath, we should obtain the authentic testimony which we require. It is no vindication or palliation, of the course that Her Majesty's Government are recommending us to adopt, that the mistake was made of introducing the Bill relating to the Provost of Edinburgh in the reign of George II. into the House of Lords before the evidence was taken, and the evidence was taken afterwards upon it. What we require is, that we should have authentic evidence before us before we agree to the introduction of this Bill. In the case of the Provost of Edinburgh the evidence was considerable. I recollect reading that three Judges were brought up from the City of Edinburgh to give testimony to the House of Parliament in which that Bill was introduced. I do not rise for the purpose of opposing the introduction of this Bill—there will, of course, be ample opportunity for the House to consider the propriety of passing it on a future occasion—but I hope that Her Majesty's Government will think again before they ask the House to pass a Bill of this kind upon the mere *ipse dixit* of the Attorney General for Ireland. Such a proceeding on the part of Her Majesty's Government is not becoming to themselves, neither is it in accordance with what is due to the House of Commons. The right hon. Gentleman the Prime Minister, in making his arrangements for the second reading of this Bill, said that he had calculated that if the Bill were sent by post to-night, the person chiefly interested in it—of course, meaning thereby the Mayor of Cork—would have ample opportunity of becoming acquainted with its nature.

Mr. GLADSTONE: I am not aware that I said I should send it by post.

Mr. DISRAELI: We were under the impression that the right hon. Gentleman had said so. I do not, however, think that the Mayor of Cork is the only person interested, or that he is more interested in this Bill than are the Members of this House; we are all interested in a Bill of this kind. But, if it was the Mayor of Cork to whom the right hon.

Gentleman referred, I say that individual will have no opportunity of defending himself, because he cannot adduce, in this House, testimony upon oath in vindication of his conduct. What I wish to impress upon the House is this—that if the Bill had been introduced—as was the Bill respecting the Provost of Edinburgh—into the other House of Parliament, there would, at least, have been an opportunity for us to have acted on authentic evidence; and even then we should have reserved to ourselves our legitimate right of deciding whether the course recommended by the Government is one which we can at all authorize. No one can deny that this is an extraordinary measure—and, indeed, I may say, without using the language of exaggeration—that it is essentially an unconstitutional one. It becomes us, therefore, to act with the utmost caution under these circumstances. But whatever course we may take—even if Parliament be pleased to meet this individual instance by this particular measure, it appears to me that the line on which the Government has introduced this Bill is an erroneous one, and will only lead—I do not say to the discomfiture of the Government in this respect, for that we do not seek—but not to the credit of the House of Commons, in which we all have an interest.

MR. CHICHESTER FORTESCUE: I wish, in the first place, to reply to the Question put to me by the hon. Baronet the Member for the county of Londonderry (Sir Frederick Heygate). I fear there is some misunderstanding with regard to the answer I gave yesterday relating to the lamentable riots at Derry. I seem to have been understood to say that the loss of life which occurred in the course of those riots had been caused solely by the firing of the opposite parties upon one another. That impression is, however, inaccurate. We know by the verdict of the jury that at least one life was lost by the firing of the police. With regard to the other life which was lost, and the wounds that were inflicted, it is still uncertain whether they resulted from the firing of the police or from that of the opposite parties. It is, however, clear from the information I possess at present that the two opposing parties were armed to a considerable extent, and that they did use their arms. The noble Earl who is at the head of the Irish Government (Earl Spencer) and who is consequently responsible for the peace of Derry has thought it necessary to use his powers to put down the disturbances, and in order to effect that object has proclaimed the district, in which arms are possessed to a considerable extent by both parties, and which is in a very excited state. The conduct of the police in the affair, in the opinion of the Irish Government, imperatively calls for inquiry, and, consequently, the whole circumstance will be the subject of a most searching and complete investigation by a Special Commission to be appointed for that purpose. But the hon. Baronet went on to make several further remarks, which, I confess, did not appear to me to be called for upon the present occasion. He thought it necessary to allege that I had shown some injustice and a want of generosity towards the noble Lord who filled the post I now occupy under the late Government. That is surprising, for there has never been on these Benches the slightest want of appreciation of the excellent qualities of Lord Mayo. I am glad, however, of this opportunity of stating my belief that my noble Friend Lord Mayo showed great discretion, firmness, and prudence in his administration of the affairs of Ireland, and I believe that the manner in which he discharged his duty has gained for him the approbation of the country. The most severe remarks of the hon. Baronet were, however, directed against the advice given by the Government to the Crown as to the exercise of clemency with regard to the Fenian prisoners, which he said was a slur upon the government of Lord Mayo. But the fact is Her Majesty's Government did not advise the Crown to exercise an indiscriminate clemency with regard to them; but they did advise that a careful and discriminating selection should be made among the political prisoners, and that all who were likely to be dangerous to the peace of the country should be excluded from that clemency. This course was not recommended by the Government for the purpose of reversing the policy of the late Irish Government; on the contrary, many of the prisoners who were released had been sentenced during the government of Lord Kimberley—and surely we did not desire to cast a slur upon Lord Kimberley—and, indeed, the course adopted by the Government had his Lordship's entire concurrence. So far from that exercise of clemency on the part of the Crown having had an ill effect, I believe that, if the Government had stood simply upon the ground of *non possumus*, the result would have been much to be deplored. Such a policy would have produced a widespread movement on behalf of what is called an amnesty, in which the great mass of the Irish people would have joined, and an agitation of that character might have had most disastrous effects. By adopting a policy of mercy, however, the Government of Ireland have placed themselves in a position to insist with effect upon the adoption of measures of severity when such may become necessary. It is the opinion of Her Majesty's Government that in these matters it is desirable not to rest upon the mere force of a majority in this House, but to rely in taking measures for the defence of law and order upon the moral support of the Irish people; and I am convinced that, by the course we have adopted with regard to the political prisoners, we have obtained that moral support, and that we have thereby gained a great victory on behalf of the law and of order.

With respect to the case before us, I will not long detain the House. It is impossible not to sympathize with the reluctance that has been shown by the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie), and by other hon. Members, to adopt an exceptional and unheard-of measure of this kind directad against an individual; but our answer to their objection is that the circumstances under which the Bill is introduced are of an exceptional and an unheard-of character, and that, therefore, we are justified in asking the House to employ exceptional means. I cannot help saying that, in our arduous endeavours to vindicate the authority of the law and to preserve order in Ireland, we might have expected to have received a support very different from that which has been given to us by the Leader of Her Majesty's Opposition. What line did the right hon. Gentleman the Member for Buckinghamshire take? The right hon. Gentleman commenced at once by attacking the Attorney General for Ireland for not having taken proceedings against the Mayor of Cork some months ago. The answer to that attack is easy. There were at the time no grounds for proceedings against that individual by way of prosecution or otherwise, the Law Officers of the Crown being of opinion that no words had been used at that time which would justify a prosecution; while he had then not been guilty of conduct which would have justified us in coming down and asking this House to pass the extraordinary measure we are now submitting to them. Since then, however, a great deal has happened. The complaint against the Mayor of Cork goes far beyond the speech he made respecting the attempted assassination of the Duke of Edinburgh. His conduct on the Bench, and as a magistrate generally, has gone to such lengths, with that effect upon the public mind which has been described by the Attorney General for Ireland, that that which it would have been impossible and culpable in us to have done some time since has now become necessary and right. With regard to the particular mode we propose to adopt in dealing with the Mayor of Cork now that the Bill is introduced, the cautions and warnings of the right hon. Gentleman are very right, but not very necessary; because we fully understand the necessity of proceeding in this matter with the greatest caution and deliberation, in order to take care that no injustice shall be done. We shall take care that nothing is done in undue haste, and to proceed in conformity with the precedents afforded by former cases of this nature, and we shall prove the Preamble and the recital of the Bill at the Bar of this House. We shall, by adopting every precaution, take care that there shall be no shadow of an excuse for suggesting that our facts are not proved or that justice to the utmost has not been done. I should wish before I sit down to read a communication I have received from the noble Lord the Lord Lieutenant of the City and County of Cork, which is as follows:—

"My dear Fortescue,—I this day presided at a meeting of the magistrates of the City of Cork, which was attended by, I believe, every magistrate at present residing within the district, with the exception of the Mayor. The meeting unanimously adopted a memorial expressive of their entire and undivided abhorrence of the sentiments lately expressed by the Mayor of Cork as connected with the attempted assassination of the Duke of Edinburgh, and also of their disapproval of his conduct on the bench, both towardsh is brother magistrates and the police.

"The memorial was addressed to the Lord Lieutenant, and goes to his Excellency by this post, and I have been requested as Chairman to express to you, as representative of the Executive in Parliament and the Cabinet, the united and undivided opinion of the Bench that some steps should be taken to put a stop to the disgraceful exhibitions which are daily occurring on the Bench at Cork.

"If there be occasion to allude to this matter in Parliament, you can state authoritatively that no one in or out of Parliament can be more pained and disgusted at the course adopted by the Mayor than are the magistrates of Cork, one and all, without one single dissentient, and including all shades of politics and both religions.

"If any debate should arise in Parliament I shall feel obliged, as Lieutenant of the county and city, if you will say for the magistracy of both departments that we deplore the unfortunate scenes which are daily occurring, and greatly desire to see an end of some sort put to them, as tending to frustrate justice and disseminate disloyalty.

"Believe me, my dear Fortescue, faithfully yours,
"Fermoy.

"The Right Hon. C. Fortescue, M.P."

Well, then, how under these circumstances were the Government to act? A proceeding at law would not have put an end to these scenes which were daily occurring—more especially since a tardy proceeding would not have made Mr. O'Sullivan incapable of filling the office of mayor, inasmuch as they would probably have extended over the greater part of the term of office of the offender. Moreover, such a proceeding would not have done that which, by the measure, we wish to effect—namely, rendered him incapable of again filling the high office which he now holds. Under these circumstances, I ask the House to adopt the course, however exceptional it may be, proposed by the Government, being convinced it is one dictated by a paramount sense of duty and by the general sentiments of the House.

Colonel WILSON-PATTEN said, that having filled the office of Chief Secretary for Ireland he was unwilling to allow the debate to close without saying a few words upon the subject before the House. He wished that the right hon. Gentleman the present Chief Secretary for Ireland, when referring to the recent riots in Londonderry, had followed the advice offered him, and not entered so fully into that question as he had done. He should, however, pass that part of the subject by, merely observing that he thought he now saw the reason why, on Friday night last, the right hon. Gentleman, for the first time during a Session which had been almost entirely occupied by the discussion of Irish affairs, had made the attack which he did upon the late Government. He would, however, enter upon this subject at another time, and would content himself now by saying that that attack of the right hon. Gentleman upon him (Colonel Wilson-Patten) was wholly unmerited. He was not willing that this debate should pass without expressing his abhorrence of the sentiments conveyed by the language of the individual whose conduct they were now discussing. He thought that they were deeply indebted to the right hon. Member for Kilmarnock (Mr. Bouverie), and to the right hon. Gentleman the head of the late Government for the cautions they had given in this matter. It appeared to him that the House could not be too cautious in the steps they were taking in the present instance, seeing that there was only one case which could be brought forward as a precedent, or which was in any degree analogous to this. Whilst concurring in the advice so tendered to the Government he was free to admit that not one word had been uttered which would exculpate the Mayor of Cork, or render unnecessary the adoption of the strongest measures towards him. He had listened with interest to the speech of the hon. Member for Cork (Mr. Maguire), and appreciated the painful position in which he was placed in endeavouring to offer some palliation for the conduct of the Mayor. The hon. Gentleman had done everything for his friend that a man could do, but he had been unable to suggest anything which would be considered as a valid excuse. The hon. Gentleman had characterized this Bill as being merely an *ex post facto* piece of legislation. He (Colonel Wilson-Patten) entirely differed from him. He thought the Bill quite as much prospective as retrospective. He hoped, however, that witnesses would be brought forward to prove the case, lest, if they did not take that course, they should lay themselves open to the charge of injustice. When the hon. Member for Cork said that the Mayor of Cork, in using the words imputed to him, had no intention of advocating assassination he (Colonel Wilson-Patten) would contend, even admitting that to be a fact, that a man who could, even incautiously, use such language, was quite unfit for the position he now held.

Having been a Member of the Irish Government, although only for a short time, he did not like to let this discussion close without expressing his opinion that it was absolutely necessary that some action should be taken of a more decisive nature than usual to prevent a repetition of that conduct of the Mayor of Cork, which had already disturbed the peace and good feeling of the people of Ireland. He believed that the party who would still be willing to support the Mayor of Cork or who would not reprobate him was very small indeed. He entertained no doubt of the loyalty of the Irish population generally. They had seen the reception they had given to the young Prince who was now visiting that country. That reception was, if possible, more warm and more satisfactory than that given to the Prince of Wales. And they had abundant evidence to prove that there was no party in Ireland so disloyal as to countenance, in the slightest degree, the atrocious principles to which it was alleged the Mayor of Cork had given utterance.

Mr. GLADSTONE: Sir, I am sure that the speech just delivered by my right hon. and gallant Friend (Colonel Wilson-Patten) requires no other testimony from me than to say that it was such as we should have expected from him under the circumstances in which we stand. But it is very desirable that the House should be placed in possession of the precise nature of the proceedings which the Government propose. I am also anxious to notice some of the comments that have been made on our proceedings, and certain doctrines which have been laid down in the course of those comments. I apprehend that the general rule which has been applicable to all these cases is that the first stage, at least, of these Bills of Pains and Penalties has been taken in both Houses on allegations, or *ex parte* statements—that is to say, that, though an investigation has been made, the other House has not, in the first instance, allowed the parties implicated to be heard before the House; but that when, in either House of Parliament, the Bill had reached the stage of a second reading, then a full opportunity has been given to the parties to be heard; and that likewise, in some instances at all events, the Government themselves have been called on to substantiate its accusation, and make out a case for the Bill. In this instance it is quite clear that, at the proper time, the Government ought to substantiate its case, and not seek to throw the *onus* on the other party, because the proceedings which we now ask the House to take we ask it to take on the faith of the Government. It will be remembered that when this matter was brought under the notice of the House last week we stated that our first duty would be to make an inquiry into the facts. We have done that; and when that inquiry has been made by the Ministers of the Crown I think we do not go too far in asking the House, not—as was stated, perhaps carelessly, by the right hon. Gentleman the Member for Buckinghamshire—to pass the Bill, but to allow a Bill of Pains and Penalties, in the shape of inflicting a disability upon the Mayor of Cork to be introduced. If leave be given to introduce this Bill, and if it be read a first time, the following Motion will, in the regular course, be submitted when the Bill is ordered for a second reading. The House will be asked to resolve—

> "That a copy of the said Bill and of the said Order for the Second Reading thereof be forthwith served upon Daniel O'Sullivan, Esquire, Mayor of the City of Cork:"

And also this Resolution—

> "That Mr. Attorney General for Ireland do take care that evidence thereof is produced in support of the said Bill upon the Second Reading."

This having been done, the House will, so far as its forms will permit, be in a position on the second reading, to pronounce, what may justly be called, a judicial decision. But it has been said by some that we are wrong in the form of our procedure. It is said that we ought to have proposed a general measure, and not a measure to meet a particular case. If I were to discuss this point now, it would lead me into more lengthened comments than I should like to make on this occasion, when we may be said to be interlopers on the ordinary business of the day; but this much I must say, that the Government did consider the point, and that, for reasons which we shall be prepared to maintain by argument, we did arrive at the conclusion that it would be wrong, in consequence of this single, particular, and isolated case, to introduce a Bill bringing the conduct of a whole body of popularly elected civic officers under the supervision and control of the Government. But besides that, the right hon. Gentleman (Mr. Disraeli) laid down a proposition which merits examination, both as coming from him and on its own account. I do not complain—I am not entitled to complain—of any adverse comment on the introduction of the Bill, nor of any adverse comment on the conduct of the Government. I do not complain of the speech of the right hon. Gentleman—though he commenced with an announcement of his intention to abstain from any such comments, an announcement which certainly was not sustained in his subsequent observations. But I do complain that, in his zeal, so little did the right hon. Gentleman feel himself under restraint in this judicial proceeding, that he could not help referring to my right hon. and learned Friend the Attorney General for Ireland in a manner that I am sure must have attracted the attention of the House. He said—"Is the House of Commons to be called on to pass a Bill of Pains and Penalties on the *ipse dixit* of the Attorney General for Ireland"—or "an Irish Attorney General" I think was the phrase. Sir, I have rarely heard a personal taunt delivered in this House that was more entirely out of place. The office of Attorney General for Ireland is a high and distinguished office. The Attorney General for Ireland is the person in whom the Constitution of the country vests the duty of both acting himself and advising the Government of the Queen to act in cases of offences against the State. The holder of such an office, by virtue of his office, does not deserve to be treated with contempt; and, Sir, if the holder of such an office, by virtue of his office, does not deserve to be treated with contempt, I say here, in the presence of this House, that the present holder of this office has sustained its dignity and its credit in a way that still less, perhaps, than any of his predecessors—worthy as they have been, and I do not question that—leaves him open to sneer or sarcasm on grounds such as those alleged by the right hon. Gentleman. But, Sir, the right hon. Gentleman censures the Government for having introduced this Bill in the House of Commons, instead of in the House of Lords, and he founds his censure on the fact that the House of Commons has not the power of taking evidence on oath. Sir, I entirely admit that for the purposes of a Bill of Pains and Penalties it would be more satisfactory if the House of Commons were armed with that power. I do not for a moment question that an oath is an element, and a very important element, in an investigation of facts in judicial proceedings; but my answer to the right hon. Gentleman is that Bills of Pains and Penalties have repeatedly been introduced into this House and sent up to the House of Lords. There were the cases of Plunkett and Kelly, in 1723; and that of Mr. Bainbridge, the warder of one of the London prisons, in 1729; and the case of Mr. Rumboldt, all of which cases were dealt with, in the first instance, in this House. Then, if Bills of Pains and Penalties are sometimes to be introduced in this House and sometimes in the other, what are the circumstances which are to guide us in the particular case as to the choice we are to make? We say that in this case of the Mayor of Cork we are sanctioned by precedent and by principle. By principle, because, in opposition to the right hon. Gentleman the Member for Buckinghamshire, I must contend our proceedings are more in accordance with the spirit of the Constitution than they would have been if we had commenced in the House of Lords. I think it is more in accordance with the spirit of the Constitution to bring the holder of an office conferred by popular suffrage to trial before his Peers—before the Commons of England—before the Estate to which he belongs. As one of them he has offended, and to them we call upon him to answer. I think that the doctrine of the right hon. Gentleman, that whenever you are going to inflict a punishment, such as that provided by the Bill, even though the offence has been committed by a person chosen by the popular voice, and whose official functions are charged with popular elements from beginning to end, proceedings such as these should only be commenced in the House of Lords—I think, Sir, it would be very unadvisable to give effect to such doctrine, because, I believe, our doing so, would form anything but a good precedent. I would first refer the House to the case of Alexander Wilson, which occurred in the time of Sir Robert Walpole. These proceedings were commenced in the Lords; and when the Bill came to this House a Member (Mr. Oglethorpe) rose in his place and opposed its reception because he was of opinion that the Lords would refuse to receive from this House a Bill of Pains and Penalties affecting a Member of their House —that was, any Member of their Order. Now, the Mayor of Cork is one of our Order. There was a discussion in that case of Alexander Wilson, and the King's Advocate for Scotland, Mr. Duncan Forbes—no inconsiderable person—objected to the introduction into the House of Lords of a Bill of Pains and Penalties against Alexander Wilson, and which would also inflict a fine on the City of Edinburgh. Then, Sir W. Young advocated the reception of the Bill on grounds of a somewhat apologetic character; and Sir Robert Walpole excused the introduction of the Bill in the Lords by saying that generally there was a cessation of business in the House of Lords during the first few weeks of the Session; and on that ground he thought the House might receive the Bill. He was followed by a no less political and constitutional authority than Sir William Windham, who said that the Bill being brought from the House of Lords was a great encroachment on the privileges of this House, and that it was best to conclude that such encroachment was intended and to refuse to receive the Bill. The opposite opinion, however, prevailed and the Bill was read a first time; but the discussion to which I have referred shows that, by some of the highest authorities, a scruple was entertained to receiving from the House of Lords a Bill of Pains and Penalties against a civic official, though at that time the mode of electing the Lord Provost was not based upon any very wide basis of popular election. Both in respect to precedent and in respect to principle I maintain that the course we have adopted is the right one. The fact that we cannot take evidence on oath will not prevent this House from dealing with this Bill of Pains and Penalties. I think we have established our case in point both of principle and of precedent; and that we did well not to introduce this measure in the House of Lords, but to submit the case of one of the Commons, against whom we apply for a Bill of Pains and Penalties, to the Commons in Parliament assembled.

Dr. BALL: Sir, as a constitutional question I think the question now before us is one of extreme importance. The Government propose to introduce a Bill in which is recited the reasons for its introduction. Without a Preamble, containing a recital of what the Mayor of Cork had done, you could not bring the Bill before Parliament. What does the Bill recite? It contains, not a mere general allegation of his misconduct as Mayor of Cork, but a statement that he has used seditious language; in other words, the Bill pronounces on the face of it that the Mayor of Cork has been guilty of a violation of the law of this country. A violation of the law of this country is dealt with in the criminal courts; and when you say that a man is guilty of such an offence, you say he is guilty of an offence against the law. But I say it is an alarming doctrine to lay down that any man in England can be found guilty of an offence against the law on testimony not sworn to. I make two objections to these proceedings, both of which are sustained by authorities. My first objection is that this House, though it may examine witnesses, cannot administer an oath; my second, that it cannot indict for perjury, before the tribunals of the country, anyone who gave false evidence at the Bar of the House of Commons. The right hon. Gentleman at the head of the Government has referred to precedents. I will refer him to the Porteous case and the case of Queen Caroline. In the former case, in which there was involved a question of *status*, the Bill was studiously introduced in the House of Lords by Lord Carteret—there was an application to take evidence, and witnesses were brought from Edinburgh and examined on oath. Then, I am under the impression that the case against Queen Caroline was not a mere divorce case, because the Bill was one which would have deprived her of her *status* as Queen Consort. In that case also the Bill was introduced in the House of Lords. As to the rank of the person charged, it will not be contended that a Queen is to be protected to any greater extent than the humblest individual; yet in Queen Caroline's case the witnesses were examined on oath, and that she might have all the advantages afforded by a judicial tribunal the Judges were summoned, in order to guard against the reception of illegal evidence. None of these conditions have been complied with in the present case. In the first place, we cannot take evidence here on oath; secondly, no prosecution for perjury lies against a person giving false testimony here; and, thirdly, it is a new doctrine, that this House is to judge as to what is seditious. In what may sedition committed by language consist? Why, it may be found anywhere, within a range of language extending almost from words used carelessly in the heat of debate to language deliberately intended, uttered with the intention of bringing into disrepute the great institutions of this country. Sedition in language is an offence so wide in its character that it may consist of words absolutely treasonable or of words not much stronger than the common language of debate. Are you about, without the power of taking evidence on oath, to arrive at a conclusion in a matter such as that? The judicial power is one which the law of England requires to be very jealously exercised. It would be very satisfactory, I think, to have a precedent for commencing proceedings in the House of Commons in such a case as this. In works on the privileges of Parliament it is stated that such Bills as these are generally introduced in the Lords. It is true that these works lay down that "you may" introduce them in the Commons; but the word "may" shows that it is not the usage or practice to introduce such measures in the Lower House of Parliament; and, as you have not the power of taking evidence on oath, to say the least, it requires the greatest consideration to determine whether they should be introduced in this House rather than in the House of Lords. I do not make these remarks in a spirit of opposition to the Government, or for the purpose of creating embarrassment to them; on the contrary, I am desirous that the proceedings taken in this matter should be certain and not likely to fail for want of proper form—but I think it would be a great calamity if this Bill or some measure of the kind were to miscarry in consequence of its having been introduced in one House of Parliament rather than in the other, and it is with the object of avoiding anything of that kind we are endeavouring to show you your error at the earliest stage. I think it is more frank and more just that we should at once state that we have the gravest doubts as to the propriety of your introducing the measure here, and to suggest to the Legal Gentlemen who advise the Government whether it would not be easier to introduce the Bill in the House of Lords, according to the precedent that was set in the case of Captain Porteous. I have risen with this object, and not to oppose the Bill or to say anything about the administration of Ireland. Only one word more. It is an entire mistake to imagine that anyone on this side of the House meant to say anything disrespectful of my right hon. and learned Friend the Attorney General for Ireland. If anything of that kind had been intended it would not have had my approval; because for many years I have lived on terms of close friendship with my right hon. and learned Friend, and I hope I may reckon myself among his most intimate friends. But nothing of the kind was intended by my right hon. Friend the Member for Buckinghamshire;—[Mr. Disraeli intimated assent.]—the remark was not applicable to my right hon. and learned Friend personally, but to any Attorney General of any Government, and to any proposition to act in such a matter as this on information received at the Irish Office. All that was intended to be said was that we ought not to proceed on private knowledge, but take care that the facts are proved in the proper manner.

The SOLICITOR GENERAL: I have no doubt the House will accept in the fullest sense the statement which I presume, in deference to the unmistakeable feeling of the whole House, the right hon. and learned Gentleman opposite is instructed to make, that no reflection was intended by the right hon. Member for Buckinghamshire upon my right hon. and learned Friend who now fills the office of Attorney General for Ireland. All I can say is that manner is misleading, and that, if manner ever justified an inference, the manner of the right hon. Gentleman the Member for Buckinghamshire on the present occasion justified the inference which the House has drawn from it. My principal object in rising is to deal with the question which the right hon. and learned Gentleman (Dr. Ball) has put before the House. I understand him to object to the proceeding of the Government on the ground that the Bill of Pains and Penalties is based upon the assertion that an offence has been committed, which is an offence against the law, that such an offence must be proved by means known to the law, and that the only means of proving an offence known to the law is evidence upon oath. I also understand the right hon. and learned Gentleman to say that his objection would be met if the Bill of Pains and Penalties, so to call it, had been introduced into the other House of the Legislature, where they have the power of taking evidence upon oath, where the parties could appear, and where the matter charged against the Mayor of Cork could be proved by witnesses who might be sworn at the Bar of the House. My answer to that is that the two Houses—the House of Commons and the House of Lords—are perfectly independent and co-ordinate branches of the Legislature, and that the House of Commons is no more bound to proceed upon what is proved in the other House than the House of Lords is bound to proceed upon what is proved in this House; and if the Bill were to come down from the House of Lords after evidence had been taken upon oath at the Bar of that House, it yet would be right and decent for the Commons of England to be satisfied independently, in the best way the Constitution allows, that there is foundation for the Bill of Pains and Penalties which they are invited to pass. It, therefore, would have been necessary, in any event, that evidence should be taken at the Bar of this House, and this House could only proceed upon evidence not taken upon oath. It comes then to the simple question, where it was most convenient and most proper, under all the circumstances of the case, that a Bill of this kind should be initiated. Now, the House of Commons must proceed upon its own judgment, and not upon that of any other branch of the Legislature, and the Government intend to proceed in the only way in which the House of Commons could proceed—by evidence. The Government must be satisfied, in the first place, not by the *ipse dixit* of an Irish Attorney General—as the right hon. Gentleman the Member for Buckinghamshire was pleased to phrase it—but by making those inquiries which men of conscience and men of responsibility are bound to make before putting forward such a proceeding as this against any man. Before the House of Commons can be satisfied that the Government are right, they must take such course as is open to them to satisfy their own consciences that the proceeding is right and proper. The Government will produce evidence to show that they are justified in proposing this Bill for the acceptance of the House of Commons; and, of course, if the Mayor of Cork should think it desirable to be heard here at the Bar, and should make a proper Petition to the House for that purpose, an opportunity would be given him for appearing, and reasonable time would be given him for preparation. No man in his senses would think of refusing such a request. Every form of justice that the House allows of would be followed; but if the Bill be justified—if it be supported by evidence in the only way in which it can be supported in the Commons House of Parliament—I trust the House will pass it, undeterred by the observations which, whatever they might have been intended to mean, were heard by most of us—and, I believe, with no distinction of party—with very great regret.

Mr. HENLEY: No one can suppose it to be disputed in the abstract that either House of Parliament can institute proceedings of this kind. The only question is as to which of the two modes is the more convenient—commencing in this House or commencing in the other House of Parliament. We ought to consider whether in this case it would not be prudent to follow precedent. How does the case stand? Happily these cases for exceptional legislation are exceedingly rare—one instance only has been alluded to, and it is questionable whether in matters so rare it is prudent to follow a single precedent. The argument of the Prime Minister went almost to this—that because the House was dealing with a Commoner it might almost proceed by Resolution, because he said that a Commoner was to be judged by the House of Commons; I do not suppose the right hon. Gentleman really meant to go that length, but his argument did go to almost that length. The hon. and learned Gentleman the Solicitor General said that the House of Commons must proceed upon evidence. Well, that evidence is to be taken at the Bar of the House, from unsworn witnesses, and I do not think even he will contend that evidence taken on word merely should, if put in conflict with testimony on oath, stand high in public opinion. Taking evidence of that inferior quality, as I may call it, shall we be more likely to arrive at a sound conclusion than the House of Lords would on a superior kind of evidence? If the evidence taken on oath in "another place" should conflict with the evidence taken here on word, shall we be in as good a position as as we should have been, if the evidence had been taken in the first instance in that mode by which the truth is most likely to be elicited? Shall we be as likely to get at the truth by first having the evidence in the inferior way and afterwards having it on oath, as if it was first taken on oath? I do not think there can be any difference of opinion on the fact that this is a case so exceptional as to require exceptional proceedings; but I think that if the Government had adhered to the precedent referred to by the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie), we should have been more likely to come to a sound conclusion on the facts, which must be proved before the House can pass the Bill. I think it is possible that there may be a conflict of facts, because from statements made to-day it would seem that some of the allegations are likely to be traversed. I only hope that the mode of proceeding adopted by the Government will not result in having Parliament placed in this position—that the facts established in one House by one mode of taking evidence will present a different complexion from those proved in the other by a different mode.

MR. MURPHY: I have no doubt it will be readily conceded that, as one of the representatives of the City of Cork, I rise to take part in this debate under a feeling of no little embarrassment, indeed, I may add, under feelings akin to those of shame and humiliation. I feel grieved that a course of proceeding—that events should have taken place in my native city which have rendered it incumbent on the Government to come down to this House and ask its sanction to an act of exceptional legislation. It is a matter which I deplore intensely. I must, however, take leave to say I felt in a condition of considerable embarrassment when my right hon. and learned Friend the Attorney General for Ireland gave notice of his intention to bring in this Bill; and now, having listened to his statements of the grounds on which he proposes to have this measure passed into law, I may say I rejoice exceedingly at the course which this debate has taken, because it shows how the Mayor of Cork will be entitled—as he ought to be entitled—to state his case, and that full and ample opportunity will be given to the citizens of Cork, as there should be, to state what their opinion is on the matter. That, I apprehend, is a matter for congratulation, under the unhappy circumstances, on the part of a representative of the City of Cork. I should like, Sir, with reference to an observation of my hon. and learned Colleague (Mr. Maguire) as to the remarks of the Mayor of Cork at a banquet in that city—remarks which have been taken so much notice of—to state what I give to the House as my own sincere and conscientious opinion with respect to them. I beg leave to say, Sir, in the presence of this House, that, having a personal knowledge of the Mayor of Cork, having read a report of observations attributed to him, having read the letter which the Mayor of Cork has written, which was referred to in the speech of my right hon. and learned Friend the Attorney General for Ireland, and having heard what he has said on another occasion, I say, Sir, independently of all this, I not only do not believe he had any intention of suggesting, propagating, and inculcating the horrible and detestable idea of assassination, but I do believe he had not the most remote idea of the effect the words he had used would produce when he did use them. To those who know me, possibly from personal reasons with which it is not necessary to trouble the House, this statement coming from me will give weight to any other testimony that may be adduced upon this portion of the subject. But, in thus stating my opinion of the Mayor in what I may term his individual capacity, it is quite impossible to ignore the serious effect and grave consequences of the acts and expressions attributed to him in public, and which derive weight from his position as chief magistrate of a municipality like Cork. I accordingly think the Government are quite warranted in taking up the question, so as to afford all parties concerned, and the public at large, the most ample means of forming a judgment upon it. It is, Sir, an undoubted fact that I have not had the slightest communication made to me by any of my constituents relating to this matter since Tuesday last. No constituent of mine has corresponded with me, either by telegraph or letter, and the only way in which I have become acquainted with the matter is by reading the newspapers. And therefore, Sir, because I am removed from the local excitement that exists in the City of Cork, I am in a better position to speak on the subject than if I had been the recipient of *ex parte* statements. I have, indeed, Sir, great reason to express my heartfelt grief at what has taken place; but I have also good reason to express my profound satisfaction at the course this debate has taken—that an ample opportunity will be given to the Mayor of Cork and to the citizens of Cork of being heard at the Bar of this House prior to the passing of this Bill. And that being the case, the Bill, should the House pass it, will be more satisfactory to the citizens of Cork themselves than if it were passed upon the foundation of *ex parte* statements, or than if a criminal prosecution had been instituted. I do not wish to trouble the House further, except to refer, for a moment, to an observation of my hon. Colleague (Mr. Maguire). In speaking of the Corporation of Cork, he mentioned that I was a member of that corporation. I had certainly been a member of that body, but last year I resigned the position, on account of public and pressing business, and without any reference whatever to anything that had taken place in the corporation. I simply mention this, Sir, lest it might be supposed I left the corporation because of anything that may have occurred in respect of it.

Colonel STUART KNOX said, he wished to express his dissent and that of many other Irish Members from the doctrine put forward by the right hon. and learned Member for Dublin University (Dr. Ball). He (Colonel Knox) could not regard this subject as one on which they ought to entertain any legal quibbles. According to the statements of the Attorney General it was plain that this course ought to have been pursued months ago, and, though at the eleventh hour, he thought the House was bound to give its support to the proposal of the Government. He believed, moreover, that in the interests of the City of Cork and of Ireland, the sooner this was done the better. He regretted that the hon. Member for Clonmel (Mr. Bagwell) should have taken the line he had adopted. Nobody would suppose that his hon. Friend had had any communication with the Mayor of Cork, or had anything to do with him, or agreed in his views; but if his hon. Friend desired to say anything in favour of the Mayor of Cork he should have stated that, on every occasion when he (the Mayor of Cork) spoke in public, "he always asserted that he acted under leaders." He presumed those leaders were local celebrities, but curiously enough the names he always mentioned were Gladstone and Bright.

Mr. DOWNING desired to correct a mistake into which the right hon. Member for Buckinghamshire had fallen with respect to the Mayor of Cork. The right hon. Gentleman had stated that that gentleman was deprived of the Commission of the Peace for the use of seditious language. That was not the fact? He was removed from that position because he subscribed to what was called the Fenian fund; and when called upon by the Government to give an explanation of the object of such subscription, he refused to do so. He happened to have the pleasure of knowing the Mayor of Cork for many years, and up to a recent period no gentleman in the City of Cork held a higher position or was more respected. He was engaged in an extensive business as a merchant, was possessed of considerable private property, and was a gentleman by birth. Up to the time of the Fenian movement he did not believe that the Mayor of Cork had taken any part in political matters. He deeply regretted to be compelled to admit that the language attributed to that gentleman—if really used by him—was such as it was impossible for anyone to defend. As precedents were of some importance in this matter, he would refer for a moment to the case of Thomas Bainbridge, who was a warder in the prison of the Fleet, and who was accused of misbehaviour in his office, with having inflicted cruel treatment upon a prisoner confined in gaol. He found that a Bill was introduced by Mr. Ogilvy in 1729, and presented to the House according to Order. The Bill was read a second time on the 3rd of April; on the 12th a Petition from Mr. Bainbridge was presented. The result of that Petition was that Mr. Bainbridge was allowed to be heard by counsel and solicitor, and a Conference was subsequently held between the House of Commons and the House of Lords. He believed that the Attorney General for Ireland would find this a case in point, and one that would show that this House was a proper place for proceedings of this kind to be initiated.

Sir STAFFORD NORTHCOTE: I rose, Sir, immediately after the hon. Member for Dungannon (Colonel Stuart Knox), because I think it desirable that there should be no misconception about the motives of the jealousy exhibited by several Members as to the form of procedure to be adopted on this occasion. I apprehend there is no difference of opinion whatever in any part of the House as to the demerits of the Mayor of Cork, or as to the necessity of proceeding against him, assuming that the circumstances alleged against him be true. But the point to which attention has been very properly directed is that of procedure; and for this reason—that in all these cases we are laying down precedents; and it is at moments like the present, when acts exciting strong feeling are brought under notice, that it is necessary to be careful that we lay down no precedent and admit no doctrine which may be inconvenient at future times. I would point out to my hon. and gallant Friend and to other Members that the course which is to be taken on the present occasion—upon an occasion that has actually excited a great deal of indignation in the breasts of hon. Members in all parts of the House—is a course which may possibly be followed hereafter under different circumstances, and which may prove to be very detrimental to the liberties of the subject or to the privileges of Parliament. But I do not rise for the sake of going into any general discussion on the question, but rather to challenge, if I rightly understood it, the doctrine laid down by my hon. and learned Friend the Solicitor General with regard to the proper separation of the functions of the two Houses of Parliament. As I understood him he laid down the doctrine that one House could not proceed upon evidence taken in the other. [The Solicitor General explained that what he said was that one House was not bound to proceed on evidence taken by the other.] That alters the question, and I am glad to hear my hon. and learned Friend put it in that way. It was urged that it would be better to proceed in the other House, because you could by so doing in all probability obtain the best kind of evidence. My hon. and learned Friend appeared to think that the two Houses ought to proceed separately, and that evidence taken in one could not be produced in the other. If that doctrine were laid down it would have a material bearing upon this case—though I think that argument was to some extent answered by my right hon. Friend the Member for Oxfordshire (Mr. Henley). But, as a matter of fact, evidence given before the House of Lords may be admitted before this House, and in certain cases it is so taken—I refer especially to the case of a Divorce Bill. I understand that the practice is that the Bills for Divorce originate in the House of Lords, that evidence is there taken upon oath, that that evidence is communicated by the House of Lords to the House of Commons, and is acted upon here without any fresh evidence being taken. If that is the practice it seems to furnish a precedent for the proper mode of proceeding when Bills with Pains and Penalties — and Divorce Bills must be regarded as such — are concerned. The rule relating to this subject is thus laid down in a book which we are all of us accustomed frequently to consult—

> "Bills of Attainder, and on Pains and Penalties, have generally originated in the House of Lords as partaking of a judicial character."

One would have thought it, therefore, a convenient practice that Bills of this character should originate in the House of Lords. At all events it was, I thought, advisable to take some notice of the statement of my hon. and learned Friend. I am glad that he has qualified it, but I still think that it would be more in accordance with the ordinary practice of Parliament that a Bill of this kind should be introduced in the House where the evidence could be taken on oath.

Mr. CONOLLY said, they were dealing with a matter of the gravest character. It had come to his knowledge that, in consequence of the words attributed to the Mayor of Cork, meetings had been held of a most turbulent character in that part of the country, and threats of violence, only too frequent he was sorry to say in Ireland, had been held out against loyal citizens. The feelings of the persons who attended had been specially directed against Alderman Lyons, who had thought it his duty to call the Mayor of Cork to account for the language he had used, and to give him an opportunity of acknowledging or denying the sentiments attributed to him. For this manly mode of action Alderman Lyons had been held up to public odium; and his life had been threatened by the mob in the streets and by letter. This was a matter which the House ought not to overlook—especially in the case of a man who had demeaned himself in all respects as a good subject of the Queen; and he wished to know whether, if the threat were carried out, this amiable and excellent citizen, the Mayor of Cork should not be held personally responsible for his murder? He said that the House could not possibly pass over sucha case. With regard to the Bill before the House he thought the Members of the Opposition could have taken no other course than in prescribing that the greatest care should be taken in proceeding in a matter of so much gravity. This was not the first case in which the most violent and seditious language had been used. And it would have been well if the Executive Government had interposed earlier to prevent the use of violent and seditious language, which produced the worst and most baneful effects. This House ought to proceed with the greatest caution and gravity, and hedge itself round with every security, and show to the people of Ireland that they must not be carried away by the exciting statements of such orators.

Colonel FRENCH said, that in common with other hon. Members who disapproved of the Bill, he felt great difficulty in expressing his objections from the possibility of its being supposed that he, in the slightest degree, countenanced the acts or the speech of the Mayor of Cork. He objected to the Bill, not only on the ground stated by the right hon. Gentleman the Member for Buckinghamshire that it was in principle unconstitutional, but also because he objected to exceptional and *ex post facto* legislation. This instead of being a Bill of Pains and Penalties to the Mayor of Cork, would, in all probability, make him more popular. It was known that he had announced himself as a candidate for the City of Cork in a future Parliament, and these speeches abominable and discreditable as they were, were simply delivered for the purpose of promoting that end. He probably thought that by making himself a "martyr" he should obtain popularity with the Fenians, and by their aid coerce the respectable inhabitants of Cork, and so obtain a majority of votes. If this Bill was really brought forward by the Government for the purpose of promoting peace, law, and order, it showed how little the Government really knew of the present state of feeling in Ireland. An erroneous view of what the country required was taken by the Government, and it was a mistake to suppose that the Fenians were a majority of the nation. In America, with all their bluster of 5,000,000 ready for the invasion of England, we find, from the Census lately taken in the United States, that they could not muster 5,000 men, two-thirds of whom would prefer to listen to the advice of their clergymen to embarking in hopeless and reckless enterprizes. In Ireland he felt the vast majority of the people were loyal, and would themselves put an end to the disorders and bloodshed which were so frequently occurring there, if allowed to do so. A reign of terror was established over the peasantry, owing to the inability of the Executive to vindicate the law, from want of knowledge how to go about it. If the Government would listen to advice, and for once in their lives trust the Irish people to protect and defend themselves, he felt that that confidence would not be misplaced, and that the country would speedily present a different spectacle.

Mr. BERESFORD HOPE, as one of the independent Conservative Members sitting below the Gangway, believed he spoke the opinions of others besides himself when he said that, thoroughly disagreeing with the general Irish policy of the present Ministry, they considered that in this particular instance the Government had come forward in a manly and straightforward spirit to vindicate the cause of peace and order, and to provide for what was recognized on all hands as a great scandal. There was no necessity for scanning legal points and musty precedents. What they desired to do was to strengthen the hands of the natural protectors of order—the Executive Government. And they were glad to hear the *ipse dixit* of an Irish Attorney General raised from either side of the House in favour of order and against sedition. They looked upon the chief Law Officer of the Crown as the right authority for invoking the sense of Parliament in a matter like this. The hon. and gallant Colonel who had just sat down had said that this was probably an election speech that was delivered by the Mayor of Cork. When, however, they remembered the terms which the Mayor used with reference to a man who had raised his hand against the Queen's son he could not help thinking that such an election speech required a sharp sort of election committee to sit upon it. It was not at all impossible, moreover, that such things as election speeches were occasionally delivered inside St. Stephen's as well as out of it, and that speeches were made out of a regard for seats which, at another election, might be trembling in the balance. Those who had argued with considerable ingenuity that this speech was made rather late at night, and after supper, somehow forgot to refer to the Mayor's letter published in the Cork paper—a letter which in all probability was written after the morning cup of tea. He had risen for the purpose of stating that, while those who sat below the Gangway on that side of the table reserved for themselves the privileges of Members to form their own opinion of the details of this or of any other measure, they desired not to interrupt the course of substantial justice or the restoration of order to Ireland by any quibbles, and he trusted that similar sentiments prevailed on the front Bench on that side; for nothing would be more dangerous to law and order in Ireland than that it should be supposed that any persons holding themselves up to be the leaders of the Conservative party could, in the least degree, tamper with treason for the sake of a party victory, which, like other party victories, might at Conservative hands, result in the more complete triumph of that policy which the party crossed the House in order, as they averred, to prevent.

MR. GATHORNE HARDY: The speech we have just heard from the hon. Member for Cambridge University is one I could not have listened to without immediately rising. Those who heard me speak in the House the other night will be aware that I pointed out to the Government the very course in substance that they have now thought proper to take. It is a choice of evils. You have a state of things existing for which the law provides no remedy, and, under those circumstances, any remedy which you may apply must of necessity be in some sense one out of the common course, and must be a sharp and severe one. I have before me the only remedy I am acquainted with. It is under an Irish statute of the 1st George III., and is, I presume, the one to which the Attorney General referred when he spoke of an *ex officio* information. That, however, would not meet the evil, because the object is not to proceed against the Mayor for the use of seditious language, but to remove him from the position in which he is doing incredible mischief, by leading the people to believe that a man in authority is entitled to hold a place giving him position and influence in the town in which he lives, when it is a place which he ought not to hold if it can be taken from him with justice and reason. I agree that it is essential that we should have evidence at the Bar of what occurred in Cork on which to proceed; but it is at the same time idle to shut our eyes and ears to the facts. The facts are before us. They have been admitted by the chief culprit himself. Let us, however, hear the evidence, and bring judicial minds to bear upon it. But I will for a moment assume that what is stated is correct. When a justice of the peace in the great City of Cork vindicates the conduct of the three men executed in Manchester, as the Mayor of Cork has done, and refers to a man executed in this country for one of the most horrible crimes ever perpetrated—a crime which inflicted suffering and death upon many harmless and innocent women and children—I refer to the Clerkenwell explosion—as of a man actuated by the most noble motives—in that way almost justifying assassination—such a person is not fit longer to hold a position in the magistracy. And when he goes on to say that O'Farrell was actuated by as high motives as any patriot was ever actuated by—I say such a man is not fit to hold the place he occupies for one single moment, and that his being allowed to continue there is sufficient in itself to bring any Government into discredit. When I add to that that the person who was appointed to protect law and order in that city allowed to be made in his presence seditious speeches which

—though couched in ironical language—could have but one meaning, and that he himself said that if they were strong enough they would drive the English out of the country—I say that that is not the man we ought to palter with; and though as a matter of policy and expediency, and for the purpose of steadying the witnesses, I think it would have been better that this Bill should have been begun in the House of Lords, yet I cannot admit that the House of Commons has lost its power of initiating because it has not the power of taking evidence upon oath. I wish, as a matter of prudence and policy, that evidence should have been given upon which we could have acted; but I do not think that we are precluded from acting because we cannot take sworn evidence. The effect of such a doctrine would be to deprive us of our highest privileges. I may say, in answer to the remarks of my hon. Friend below the Gangway (Mr. B. Hope), that I do not find that in the course of this discussion anything has been said which would tend in any degree—I will not say to palliate, but to modify or to take away from the language used by the Mayor of Cork; and I feel it so essential that he should be deprived of his office of justice of the peace, and the right of sitting any longer as mayor, that I shall be prepared to assist in any exceptional course for the purpose of relieving the people of the country from so crying and outrageous a scandal.

Mr. SYNAN said, no one was less open to the taunt of the hon. Gentleman opposite (Mr. Beresford Hope) than his hon. Friend below him (Colonel French), for his hon. Friend had retained his seat between thirty and forty years, and was likely, if he lived as long more, to retain it for the period of his natural life. From the speeches that had been made that afternoon he feared that that House could scarcely be regarded as likely to bring a judicial mind to bear upon this case, because what they had done had been to convict the man before he was tried; and if he were to believe the hon. Member for Donegal (Mr. Conolly) it was their duty, not only to try the Mayor of Cork for sedition, but also for murder. No one, certainly, could pretend to justify the language attributed to the Mayor of Cork, if that language had really been used by him—and no one had attempted to justify it; but if the Mayor of Cork would say that he used the language in a moment of heat, and in the course of an after-dinner speech, and that he never intended to convey the meaning which had been attached to his words, such an explanation would, he believed, be agreeable to them all. But the question was as to the proper nature of the tribunal. There were precedents for proceeding first in that House as well as in the House of Lords; but if he (Mr. Synan) were to give an opinion on which side the balance of convenience lay, he should say the best place would be to try the Mayor upon sworn evidence in the other House. But, at any rate, he ought to have a fair trial; and they ought not to anticipate his guilt, or, in the meanwhile, to exasperate the feeling of the House or the public against him; they ought to deal with the matter as judicially as if they were a court.

Mr. W. JOHNSTON said, he rose as representing an important constituency in the North of Ireland, second to none in the intensity of its Protestantism, to express a strong hope that the House would proceed with all caution in this case. Having been sent to Parliament by an enthusiastic body of Protestants, he was desirous that it should be known that they were not unnecessarily clamorous for the infliction of punishment, before evidence had been taken, in the case even of an individual who had offended so grossly against decency, order, and propriety as the Mayor of Cork. He could not forget that those who were so anxious to punish the Mayor of Cork were also those who were desirous of repressing the expression of Protestant feeling in Ireland; and he had no wish that the Mayor of Cork should be made the scapegoat to carry off into the wilderness the sins of other people. He wished to express his dissent from the course proposed to be taken by the Government, for he shared with hon. Members below the Gangway in the constitutional cautions of the right hon. Gentleman the Member for Buckinghamshire.

Sir JOHN ESMONDE said, he had had, for a period of seventeen years, the honour of sitting in that House, and during that time no case like the present had occurred. As to the question in which House such a Bill as this should originate, several hon. Members had pointed out the inconvenience attending its introduction in this, on account of the want of power in the House of Commons in such cases to examine witnesses on oath. The question suggested itself to him was there any constitutional reason why this state of things should exist? On this subject Sir Erskine May, in his *Law and Practice of Parliament*, said—

> "By the laws of England the power of administering oaths has been considered essential to the discovery of truth; it has been entrusted to small debt courts, and to every justice of the peace; but is not enjoyed by the House of Commons, the grand inquest of the nation. From what anomalous cause, and at what period, this power, which must have been originally inherent in the High Court of Parliament, was retained by one branch of it and severed from the other, cannot be satisfactorily established; but, even while the Commons were contending most strenuously for their claim to be a court of record, they did not advance any pretension to the right of administering oaths. The two Houses, in the course of centuries, have appropriated to themselves different kinds of judicature, but the one has exercised the right of administering oaths without question; while the other—except during the Commonwealth—has never yet asserted it."

As the inconvenience arising from this anomaly had now been so strongly felt, he would venture to suggest to the Government that it was fair matter for consideration whether something should not be done to give the House of Commons that power.

Lord JOHN MANNERS: The answer to the question of the hon. Baronet is that the other House is, and that this House is not, the highest court of appeal in the land, and as such administers an oath. There are, I think, two points upon which every one in this House must agree. The first is that, if the Mayor of Cork is legally guilty of having uttered seditious language, condign punishment ought at once to be inflicted, even by means of exceptional legislation. On the other hand, I apprehend that no man in this House, however strongly his indignation may be excited by the language imputed to the Mayor of Cork, is seriously of opinion that that condign punishment should be inflicted except upon evidence received in a proper and constitutional way. Well, these two points being conceded, the real question is, how the House shall act, so as to enable these proceedings to assume a constitutional character? When my hon. Friend the Member for Cambridge University (Mr. Beresford Hope) suggests that no grave constitutional questions are raised by the question, as to which House these proceedings ought to originate in, and when he expresses a hope that the Conservative leaders will not so act as to appear to tamper with treason, I must profess myself to be totally unable to follow the course of the argument of my hon. Friend. The right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie), and other Gentlemen, ending with my right hon. Friend the Member for the county of Oxford (Mr. Henley), are, I think, a sufficient proof that we may join with my hon. Friend the Member for the University of Cambridge in the utmost condemnation of the language used by the Mayor of Cork, and yet, without any reference to the Mayor of Cork, may desire to proceed with gravity, if not hesitation, in the course suggested by Her Majesty's Government. I listened to the arguments for the course recommended of the right hon. Gentleman at the head of Her Majesty's Government. He appeared to me to say that it was in this House that exceptional legislation of this sort ought to commence rather than the other House; and he proceeded, as I understood him, to establish his point in the following way:—The Mayor of Cork is a Commoner; therefore he ought to be tried, in the first instance, by the House of Commons, and not by the House of Lords. Sir, I venture to say that this is a doctrine at present unsupported by any precedent in the history of this country; and I venture to think, with all deference to the right hon. Gentleman, that this is a doctrine which, in its possible application, will not be found to subserve the true interests of the liberty of the subject. The right hon. Gentleman knows that evidence in this House cannot be taken on oath; and the result of the position of the right hon. Gentleman, therefore, will be that a man tried for a very grave offence may be proceeded against, in the first instance, in this House, upon evidence, not of the most satisfactory nature, and that he may have to rely on evidence of a more satisfactory kind, taken in another place, for the rehabilitation of his character. I think, therefore, the right hon. Gentleman at the head of the Government failed to show, both in point of principle and in point of practice, that the course recommended by the Government was one altogether justifiable. I believe that, in point of principle, it is not for the real interest of the liberty of the Commons that this House should originate measures of a penal character against individuals belonging to the order of the Commons; and I am quite sure that all who have heard the right hon. Gentleman will admit that the precedent which he quoted, and on which he relied, was a precedent entirely in the opposite direction. As to the general question, I agree with my hon. Friend the Member for the University of Cambridge that there is not the shadow of a shade of distinction among Gentlemen on these Benches, or I believe on the Benches opposite, as to the necessity for inflicting condign punishment on the person who may have used this language, if it should be legally proved that this language has been made use of.

THE ATTORNEY GENERAL FOR IRELAND (Mr. SULLIVAN): I beg to thank the right hon. Gentleman the Member for the University of Oxford (Mr. G. Hardy) for his straightforward and manly speech on this occasion. The views he has presented to the House are precisely those which operated on Her Majesty's Government in undertaking this grave matter, and our conviction was that there was no other remedy for the scandal that the Mayor of Cork should continue to hold his position after the delivery of the speeches that had been imputed to him. I do not mean to enter into some of the matters that the right hon. Gentleman the Member for Buckinghamshire has mentioned; but this I will say—that, while nothing would be further from my mind or from my nature than to do anything that would prejudice this case, I was bound, in common courtesy to the House, and it was my duty as Attorney General for Ireland, to lay before the House the outline of the case on which the Government had to rely in proposing this exceptional legislation. I hold in my hand at this moment a Resolution which I intend to move if leave be given to bring in the Bill, and a copy of that Resolution is to be served on the Mayor of Cork, apprising him that leave was given to bring in the Bill, that a copy of the Bill is furnished to him, that it is to be read a second time on Tuesday, and that he is at liberty to appear at the Bar of the House and to be heard by counsel. Of course, on that day, or whatever other day the case of the Mayor of Cork may be investigated, it will not be for him to prove that he has not used the words, but for Her Majesty's Government to show that they have evidence to sustain the course they have pursued. That is the course proposed to be taken, and I am quite sure any time the Mayor of Cork will wish to have accorded to him will be granted. I must say that I never in my life had to perform so painful a duty as in making the statement which I had to make this day in asking for leave to introduce this Bill. There are precedents after precedents in the House of Commons for Bills of this description—the Commons' *Journals* will show that. We have followed the precedents in this case, and as this Bill cannot pass into law unless the House of Lords shall adopt it, there cannot be the smallest chance of injustice being done, as the Mayor of Cork will have ample liberty at the Bar of this House and at the Bar of the House of Lords to defend himself—I hope that the Bill will be dealt with with the greatest caution and the extremest care.

Motion *agreed to.*

Bill *ordered* to be brought in by Mr. ATTORNEY GENERAL for IRELAND and Mr. CHICHESTER FORTESCUE, *presented*, and read the first time. [Bill 108.]

Ordered, That a Copy of the said Bill, and of the said Order for the Second Reading thereof, be forthwith served upon Daniel O'Sullivan, esquire, Mayor of the City of Cork.

Ordered, That Mr. Attorney General for Ireland do take care that evidence be produced in support of the said Bill, upon the Second Reading thereof.

HYPOTHEC ABOLITION (SCOTLAND) BILL—[BILL 4.]

(*Mr. Carnegie, Mr. Fordyce, Mr. Craufurd.*)

SECOND READING.

Order for Second Reading read.

MR. CARNEGIE, in moving that the Bill be now read a second time, said, that it had been generally understood that the greater portion of that day would be given up to the discussion of this subject, but the proceedings which had just terminated had necessarily occupied so much time that he was compelled to deal with the measure more briefly than he otherwise would have done. The noble Lord the Member for Haddingtonshire (Lord Elcho) had put on the Paper a Notice to move that, pending the consideration of the whole subject of hypothec by the Committee of the other House, it was not expedient to proceed with this Bill. Now he (Mr. Carnegie) had introduced this Bill at the earliest possible moment; he set it down for second reading at such a date as would not interfere with the county meetings, or during the sittings of the General Assembly. The Lords' Committee was not appointed until after he (Mr. Carnegie) had given notice of his Bill; and therefore he did not think that he should be doing his duty to those whom he represented if he were, because of proceedings "elsewhere," with which he had nothing to do, to consent to the postponement of a question of so much importance. It seemed to him that probably the best course which could be taken would be to pass the measure through that House, send it to the other House, where their Lordships could make Amendments in accordance with the Report of their Committee. There was another reason why he considered it unnecessary to postpone the Bill—that was the Royal Commission which sat upon it took ample evidence, having examined no less than 102 witnesses; and it must also be remembered that these witnesses had the advantage of being examined by gentlemen who held various opinions of the propriety and expediency of amending this law, and not by gentlemen who merely represented one part of the public It was quite impossible that he should go at length into details—he referred hon. Gentlemen who were anxious to understand what the law was, and in what respects it differed from the Law of Debtors, to the Report of the Royal Commission. Subsequent to the Report of the Royal Commission of 1867 the Government introduced a Bill which was subsequently carried. That Bill made the minimum possible alteration in the law. What it did was to abolish the right of following crops sold to *bonâ fide* purchasers, to require that sequestrations should be registered, and to shorten slightly the time during which hypothec could be enforced. Practically this was as little as could have been done; because this right of following the crops was very seldom enforced, and, in fact, was very nearly a dead letter; and practically it abandoned the whole system on which the laws formerly stood—because the theory of the Law of Hypothec was that the fruits of the ground were positively pledged for the payment of the rent. So that so far as that went the produce was not the property of the tenant but of the landlord; and therefore the right of following the crop was a legitimate conclusion from that theory. If the rule was that the crop was the property of the landlord, of course to sell it without his consent would simply amount to robbery; but if they laid down the principle that the crop was the property of the tenant, it was liable to division between the tenant and his creditors. Now a letter appeared in *The Times* the other day of a rather remarkable character. The writer says—

> "The abolitionists seek to place the landlord in the position of a creditor towards his tenant. But he is not a creditor. This is the key of the whole subject. If he were a creditor their argument is sound. But to let land is not equivalent to the lending of capital."

And then he proceeded to write nearly a column and a-half of what he could not help terming simply special pleading. He (Mr. Carnegie) contended that the landlord was a creditor, and nothing but a creditor, and if the law allowed him to be anything more, he said that the law was unfair and unjust. And that the landlord holds the position of a creditor he could show on a higher authority than that of the author of the letter—namely, Ross, *On the Law of Scotland*, in which he said the Romans created debts on real property of hypothec. Now the definitions of hypothec was a right imposed upon the property of another, and the latter held the position of a creditor. It was the hypothec which burdened the land, and he maintained that the landlord was the creditor of the tenant. He would leave it to the noble Lord and to the writer of that letter, to upset, if they could, the dictum of one of the highest legal authorities in Scotland; and they must upset his authority before they could make out their case. The real analogy, it appeared to him, was that of the merchant and the seller of the raw material. The merchant who sold cotton and flax, sold that which was not available for general use until it was manufactured; but in order to manufacture it, it must go through certain processes which require machinery. Now, neither the seller of the raw material, nor the manufacturer, nor the maker, or seller of the machinery have any rights for hypothec. He contended that the landlord was very much in the position of the seller of the raw material, or the makers of the machinery, or the manure merchant. It was said that the land was entrusted to the tenant as a trust. That might be true as regarded the land where there was a good tenant; but it was precisely the reverse where there was a bad one. In that case the Law of Hypothec did not apply because a tenant might deteriorate the land without in the least degree bringing himself under the operation of the law. If the landlord had no remedy against the property of the tenant, except the right of hypothec, there might be some reason for it; but, supposing there were not sufficient crops on the land to satisfy the hypothec, the landlord could still come in and rank as creditor in respect to any other property which the tenant might possess. In common justice, the man who owes money ought to pay it; and if he cannot do so, his property should be liable to equal division among his creditors, and no one should have a preference more than another. It had been represented that the Law of Hypothec was a relico f feudalism. It was not a relic of feudalism, but a relic of something a great deal worse—namely, of serfdom. Under the Roman law, in which it originated, the cultivators of the soil were serfs, and they cultivated the soil for the landlords, the produce belonging to the landlords; and for them to apply the produce to their own use would of course amount to complete and absolute robbery. As, however, serfdom became abolished, the payment of rent was taken in kind, and then, at any rate, a portion of the crop was the absolute property of the landlord, and, therefore, his claim over that property could be maintained as easily as that of any other owner. But as it was at present, the process is entirely altered. In the former state of agriculture the matter was of little importance, because the tenant lived principally on the produce of his farm, and had scarcely any other creditor than his landlord. Therefore, the question whether the landlord had or had not a preferential claim affected very few people, and was not raised; but at the present time capital requires to be applied to the land. The tenant must have dealings with the manure merchant, and he must employ the manufacturer of machinery, and many other people, and pay to them a large sum annually, which is necessary for the cultivation of his farm; and he believed that the sum thus paid is frequently in excess of the sum paid for rent. It was perfectly impossible that the rents which were collected in modern times should be paid without a certain outlay being made. There was evidently a complete change in the state of things from former times; and the question was whether, the state of things being so changed, the state of the law should remain unaltered? He would first consider how the present state of the law affected the landlords, the tenants, the merchants, and the public. To put before the House the landlords' case, he would refer to the statement which was made two years ago by Lord Selkirk, who was directly opposed to any change. Lord Selkirk said it was not from any idea that it would affect the pecuniary interests of the landlords that he opposed the Bill, because it affected them very remotely; but it was in the interest of the tenant, and especially of the smaller tenants, that he opposed it. That was a question which he (Mr. Carnegie) would touch on hereafter. Again, Mr. Dickson, who is not in favour of the abolition of the law, and whose words, therefore, would probably be listened to with respect on both sides, says—

> "What would be the effect of the total abolition of the law? In the first place, then, it must considerably reduce the rents; but probably after twenty years it would raise the rents, because it would necessarily bring about an application of capital to the cultivation of land, and that capital certainly will not be forthcoming until it is safe."

At present the landlords would frequently take men without capital at high rents in preference to men with capital at lower rents. But the bankrupt tenant was no good to the landlord, and he very seldom did anything for himself. He exhausted the soil, and in the end he generally dragged his friends into his own ruin. It had been frequently said that, under the operation of this law, the landlord was often able to give indulgence to his tenants. But if this Bill passed, the landlord would not be prevented in the least from doing so; only instead of giving indulgence at other people's risk he would do it at his own. By this Bill he proposed to recognize all existing contracts, and, of course, the landlord would in future be permitted to guard himself by special contracts, and could demand security from the tenant or even forehand rent. One argument used against the abolition of the law was that, as the landlord in Scotland had to pay the ministers' stipends, school salaries, and other charges, it was right he should have security for his rent. But these charges were charges on the land, not on the crop, and the landlord would have to pay them whether he let his land or not. Moreover, he could make his own bargain with his tenant in this respect. It had been said that if this Bill were to pass the landlords would take a great deal of the land into their own hands. If they did, he did not think the country would be any the worse for it—he thought it rather a thing to be encouraged, for it would induce the landlords to live upon their own estates, and to take an interest in country pursuits. He would now take the law as it related to the tenants. A great distinction had been drawn between the large and small tenants; but the only distinction he (Mr. Carnegie) could see was between the tenant who had sufficient capital to farm his land and the tenant who had not. But the tenant of a small farm might be the man who had sufficient capital, while the tenant of a large one might be a man with insufficient capital. The prudent landlord was the man who got a fair rent for his farm; and in such a case as that the law was practically inoperative, and it was practically inoperative so far as the good tenant is concerned. Now, with regard to the small tenant, he believed that every argument that he had applied to the large tenant applied also to him. It was very remarkable that the opponents of this Bill all said they were acting in favour of the small tenant. The small tenants did not seem to see it. At the time of the General Election—though some of the candidates came out very strong on this point—the small tenants did not appear to have any objection to the abolition of the law. On the contrary, the small tenants were, as a class, in favour of this Bill. As to the question of how the law affected merchants, he did not think it necessary to go into that question further than to say that if a merchant, in the case of a bankrupt customer, only received a dividend of something like 3*s.* 6*d.* in the £1, they were not likely to be very well satisfied with the present state of the law. He had now endeavoured to show that the present law did no good either to the landlord or the tenant. It did no good to the prudent landlord, while it did mischief to the imprudent one; that it was injurious to the tenant, and, therefore, ought to be abolished, because anything which prevented the application of capital to the land must be injurious to the community. If, on the other hand, it can be shown that the Law of Hypothec is in the interest of the community, he willingly admitted that it would be a good law. At present he had confined himself to the Law of Hypothec connected with agricultural subjects, but this Bill of his also included urban hypothec. He had included it in this Bill, because otherwise it would have been difficult to deal with the question in Committee without a special Instruction; and it would be for the Committee to decide whether they would deal with urban hypothec or not. For his own part, he must express his opinion that urban hypothec was an unfair tax, for he could not see why a claim for lodgings should have a preferential money claim over claims for food or clothing. The writer in *The Times*, to whom he had before referred, said—"The Law of Hypothec, as a maxim of jurisprudence, is absolutely unassailable." It seemed to him strange that a maxim that was "absolutely unassailable" should never have obtained currency in England, for the Law of Distress has never included the principle of hypothecation or pledging the crop. He said, on the contrary, that as a maxim of modern political jurisprudence it was absolutely untenable. It was useless to conceal that the feeling between landlord and tenant in Scotland was not what it ought to be, or what their best friends would wish. He believed the reason to be that whilst the system of modern agriculture had materially modified the moral position of landlord and tenant with regard to one another, the laws which regulate that relation had remained unchanged. The tenant was not now, and ought not to be considered as, the dependent on the landlord. He was equally a contracting party in the bargain for their mutual advantage. The tenant derived no more benefit from the landlord than the landlord derived from the tenant; and he called upon this House to remove from the tenantry of Scotland the badge of serfdom.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Carnegie.*)

LORD ELCHO rose to move the Amendment of which he had given notice,—That pending the consideration — by a Committee of the House of Lords—of the whole question of the Law of Hypothec, as existing both in Scotland and other countries, it is expedient to delay the further consideration of this Bill. He did not propose to follow his hon. Friend (Mr. Carnegie) in his inquiry as to whether a certain writer in *The Times* did or did not take a correct view of this question, nor was he going to enter upon any of the collateral issues he had raised. What he wished to point out was that that if any stranger had come into the House and had not known the subject of the present discussion, he would have supposed that his hon. Friend was speaking of a country where the tenantry were oppressed and for the most part bankrupt, and where, under the operation of a most unjust, oppressive, and impolitic law, agriculture was in a most depressed and deplorable condition. Now, so far from that being the case, he had always been proud to represent men who were at the head of agriculture in the world—than whom there were none more prosperous, and who live in a country where agriculture was in a more satisfactory condition than in any other country in the world. His hon. Friend had spoken of the existence in Scotland of a bad feeling between landlord and tenant—a feeling created by the Law of Hypothec. Now, while he admitted that there might exist some bad feeling between the two classes in consequence of the excessive preservation of game, for which the landlord class might be to blame, he denied altogether that any blame attached to the landlords by reason of the Law of Hypothec. It was a law that had existed in the country for any length of time, since the days of the Romans, in point of fact —and what did his hon. Friend propose? A modification of the law? Nothing of the kind. He proposed, in order to bring back those kindly feelings, to take away from the landlord the preferential right which he, from time out of mind, had had over the crops of his tenants, and to leave him exactly in the same position with any other creditor. He (Lord Elcho) wanted the House not to give an opinion in favour of the measure, but to pass his Resolution, which he maintained embodied the common sense of the question as it stood at present. The broad issue now before the House was this—the preferential right of the landlord, called the Law of Hypothec, was equivalent to the Law of Distress in England and Ireland; and the Bill of the hon. Gentleman — and he hoped the English and Irish Members would mark it—did not propose to modify this law, but to sweep it away, wholly and entirely, both as regards land and houses in towns. Now, consider the time at which his hon. Friend proposed this sweeping and revolutionary measure. What is the position of the question? In 1865 a Commission was appointed to consider this question, and a majority of the Commission—9 out of 13—proposed certain modifications to the law. The Solicitor General dissented, and two tenant-farmers, members of the Commission, signed a separate Report of their own. When Lord Derby's Government was in Office, the recommendations of the Commission were in the main adopted, and a Bill was passed. Now, in reference to this Bill, he had himself that afternoon presented two Petitions signed by the Lord Provost of Edinburgh on behalf of himself and his brother magistrates, praying that no fresh legislation on this subject may be attempted until the Bill already passed had been fairly tested. Before the hon. Gentleman had any right to ask that House to sweep away the existing law, he should prove that under its operation abuses had arisen; and he maintained that neither he now, nor the witnesses who were examined before the Commission had proved any such thing. Another reason why they should not pass this Bill was that, at the present time, a Committee of the other House was sitting to consider the whole question of the relations between landlord and tenant, not in these islands alone, but in all European countries; and therefore the common-sense view was not to attempt further legislation till after the Act of 1867 had been tried, and until after they had seen the Report of that Committee. What were the points mainly urged in favour of this Bill? It was said that the existing law artifically raised the price of land, made landlords careless in the selection of tenants, and rendered it difficult for a tenant who had a crop liable to be seized to get accommodation from bankers, and that the law was unjust to creditors other than the landlord. Now last night he was reading the debate upon this Bill of his hon. Friend, when it was brought in and rejected in 1867, and in that debate he found a speech of the hon. Member for Linlithgowshire (Mr. M'Lagan), who represented, in a great measure, the enlightened opinion of a large portion of the farmers and tenantry of Scotland, and who was one of the Commissioners, and what did he say? With reference to the Law of Hypothec raising rents, he utterly denied that it had any appreciable effect in that direction. It was due, he said, to other circumstances. Then, with regard to the greediness of landlords, who, anxious to get tenants, did not make proper inquiries, and so got their farms occupied by bankrupt farmers, or farmers on the verge of bankruptcy——

MR. CARNEGIE said he did not say so, nor anything to that effect.

LORD ELCHO: Perhaps not in those very words, but certainly his impression from hearing the speech was as he had stated. With regard to the question—the hon. Member for Linlithgowshire (Mr. M'Lagan) said—

> "It is said, moreover, that on account of this law landlords and factors are careless in the selection of their tenants, that men of capital and skill are passed over, and mere adventurers chosen if they offer the highest rent. It may be that some greedy and unwise managers of estates may take the highest offerer for a farm whatever may be his qualifications. But we have it distinctly stated in evidence that such are merely exceptions, and that both proprietors and factors are most particular in making inquiries about the character and capital of the men who offer for farms, and that in general they select the best men even though they may not be the highest offerers.—[3 *Hansard*, clxxxvii. 202.]

The hon. Member for Linlithgowshire said moreover—

> "We are told again that the Law of Hypothec prevents farmers getting advances from bankers, between whom and the farmers banking facilities would be very much increased if this law were abolished. The evidence laid before the Commission is at direct variance with this statement; for almost every banker who gave evidence stated that the abolition of the law would make no difference to them in giving credit to farmers. And in addition to this direct evidence we have the strong indirect evidence of experience, from which we learn that nothing has tended more to the advancement of agriculture in Scotland for the last fifty years than the cash credit system of our Scotch banks, by which farmers were enabled, from the facilities afforded them, of borrowing money from the banks for the improving and carrying on of their farms."—[*Ibid.*]

And he said—

> "We are further told that the law operates injuriously on those merchants who are in the habit of dealing with tenants. But the evidence given before the Commission by merchants favourable to the abolition of the Law of Hypothec was to the contrary effect. It appeared from their statements that during the succession of bad seasons from 1861, the losses their firms had suffered from their dealings with tenants were not greater than from one-third to a little over 1 per cent. Mr. Copeland, of Aberdeen, stated his loss from these transactions in 1863, at seven-eighths per cent, and in 1864, at one-third; and that from dealings with other classes in the same years, at one-half and one-fifth respectively."—[*Ibid.*, 202-3.]

Mr. Hopekirk, a corn merchant, who was examined before the Commission, gave evidence, in the course of which he stated that, in mercantile sequestrations, it was frequently found that the bankrupt had made a bond in favour of one particular creditor, to the exclusion of the rest—those rest have known nothing of the existence of the bond until the bankruptcy. By this means the creditors of the bankrupt merchant were placed, so far as the prospect of payment was concerned, in the same position with the creditors of the bankrupt farmer—with this difference, that in the one case the existence of the preferential creditor was secret, and in the other case it was perfectly clear and open. Moreover, Mr. Hopekirk was favourable to the granting a preferential claim to the landlord, for the reason that he ties up his money in land for a term of years at a very low rate of interest—not more than 3 per cent, taking the taxes into consideration—while the trader, by turning over his capital rapidly, say six times in the course of the year at 3½ per cent, made a profit of more than 20 per cent upon his capital in the course of twelve months. It must be remembered too, that, though the landlord lost his rent, the local burdens remained; so that the landlord would frequently, if this law was repealed, be in a position similar to that of the Irish landlords in the famine time, as he once heard it described in this House by an hon. Member—they would have to spend half their rents in paying the mortgages on their lands, and to live on the other half which they would never get. Now, what was the state of agriculture in Scotland at that moment? Unquestionably, it was a credit to the enterprize of the farmers. He ventured to say, in the presence of an authority so great as the hon. Member for South Leicestershire (Mr. A. Pell), that it was equal to anything that could be found in any part of England. This being the state of things under the existing law, the hon. Member (Mr. Carnegie) sought entirely to abrogate that law. But he (Lord Elcho) hoped the House would not assist him in his intention. He ventured to think that the effect of the hon. Gentleman's measure would be that, in the words of the hon. Member for Linlithgowshire (Mr. M'Lagan), we should have fore-rents instead of back-rents, collateral security required by the landlords from the tenants, and, further, shortened leases. He hoped that when they had granted longer leases to the tenants in Ireland there would be in that country as prosperous and contented a tenantry, and as fine a class of hinds, or labourers in husbandry, as they have at the present moment in Scotland. The Royal Commission pointed out that the effect of the abolition of this law would be to drive small tenants out of the market. Some, however, hold a different view, and said that there would be a greater demand for small farms; but, in his (Lord Elcho's) opinion, the demand would come from above and not below—that was to say, the demand would be amongst the wealthier farmers, and not amongst the small ones; and if they drove these small tenants out of the market, they would sweep away a large class which was an honour to Scotland. The small tenant was generally a man who had risen from being a labourer to be an overseer or bailiff, and who then took land for himself. One gentleman who gave evidence before the Commissioner said—

> "I now pay a rent of £3,000 or £4,000 a year in Scotland, and I began as a farm-labourer; and it is through this security, and through the credit which I have had given me, that I have been enabled to rise."

Now, he (Lord Elcho) could substantiate the Report of the Royal Commission that the abolition of the law would act injuriously upon the small tenants by quoting figures. There were in eight counties in Scotland 2,543 farms, averaging in rent from £100 to £200; 1,168 from £200 to £300; 648 between £300 and £400; 377 between £400 and £500; 413 between £500 and £700; 261 between £700 and £1,000; while there were only 138 above £1,000. Now, where this change would tell was in the Lothians. It was not in the rich, fertile, and arable land — in the land there would be plenty of competition amongst men of capital for these farms—for, mark this, the tenantry could not prevent competition; they could not establish, as it were, trades' unions amongst themselves. Nearly always men who had made money in trade and commerce wished to settle on the land, instead of living in towns all their lives; and they would not look so much to profit as to their residence on the land—therefore, he said, there would always be plenty of competition for these first-class lands—it was in the Border districts, where there were small farms, and where, from geographical causes, large farms could not be got together, that the effect of the abolition of this law would be most felt. The small farmers there would most suffer, not the larger proprietors. Now, in one district in Scotland—Aberdeenshire—there were, out of a total of 711 tenants, 251 whose rents were between £5 and £20; 217 between £20 and £50; 123 between £50 and £100; 81 between £200 and £500; and only one above £500. This was only one instance of many. It was said by some who call themselves Liberals that this agitation was got up by the large farmers. Well, they were not to be blamed for that. If men believed the law to be unjust, they were perfectly justified in endeavouring to obtain an alteration of it. He wished, however, to refer to the speech of the hon. Member for Fifeshire (Sir Robert Anstruther), who, two years ago, said he would support the Amendment for the rejection of the Bill, because, after examining the question, he was convinced it was not one between the landlord and the tenant, but was an agitation on the part of the large farmers as against the small farmers. He might quote a passage to the same effect from a speech by Lord Dalhousie; and in a speech to his tenantry the Duke of Argyll had said the same thing, quoting the evidence of Mr. Henderson, once a tenant of the noble Duke, and now a tenant under his (Lord Elcho's) family. Mr. Henderson said that the abolition of the law would have a tendency to limit the farmer class to men of more capital; and the Duke of Argyll added that he was convinced the change was proposed not in the interests of the tenantry as a whole, but in the interests of a particular section of those who were large capitalists. Now in this matter it was proposed to take away the right of hypothec as regards the land and urban subjects. But the Law of Hypothec was not confined to land and houses—it extended to money transactions—it extended to mortgages, and it extended to marine matters. A cargo of sugar transmitted from abroad to this country was not the property of the man to whom it was consigned until the freight had been discharged, and the shipowner had a complete hold of it until the debt was discharged. Further, he was told that nine-tenths of the sugar that came to this country was the property of the agent before it was put on board, and he had a right of hypothec prior to the person to whom it was consigned. The law in any of these cases furnished a strong argument against the measure. He would now quote an authority against the abolition of this law, which he had kept until the last, because it was one to which this House, especially Members on the other side, would feel bound to submit—the present Lord Advocate. Now, there was no man in this House for whom he had a greater personal regard and respect than the learned Lord Advocate. Twelve years ago he had the honour of being associated with him in Office, and a friendship was then commenced which, he trusted, would last for the remainder of their lives. Well, his hon. and learned Friend said in the debate on his hon. Friend's Bill two years ago—

> "I believe that the Law of Hypothec, as it at present stands, is a great deal too stringent, and I desire to see it amended; but there is a great deal of difference between modifying a law and abolishing it altogether. I am not prepared to take that step. This is not a theoretical, it is a practical question. The landlord being only a party to a contract can, even if the law were changed, always make his own terms, and preserve to himself his own remedy. As to preference claims, they are not peculiar to the Law of Hypothec. Instances of their existence in the laws respecting trade, commerce, and manufactures are numerous. There are cases of lien and rights of redemption, which really amount to just as much by giving a preference to one creditor over another as the Law of Hypothec in Scotland is as respects the landlord. The principle of the law is this—That where the risk is more than commensurate with the interest, then the law gives an unusual facility to recover the subject-matter of the interest. That is the principle of the Law of Lien, and it goes through a variety of cases, and it reasonably applies to that of the landlord, who has a lien, and whose means of subsistence for the year depends upon his receiving the rents of the year. But this is a practical matter. The landlord cannot be compelled to let his land. He may choose his tenant—he has ample means to protect his interests—he may, if this law be abolished, exact payment of rent in advance, or require security, and this implies that under the then new state of things the general creditor gains no more than at present. Small tenants will not be able to pay rent in advance, nor give security, and this, reducing the demand for farms, would no doubt cause farms to be let at something less than at present. Landlords would get rather less rent than before, and merchants and other creditors of farmers would be as they were before. The Bill, if it becomes law, will create inconvenience, without any benefit, and there is no necessity for it."—[3 *Hansard*, clxxxvii. 206-7.]

He had not offered opinions of his own upon the general merits of the question, but he had culled from the speeches of others opinions which coincided more or less with his own, and which, he believed, were sound, quoting, by preference, the views of eminent Liberals who held official positions. The House ought to be careful not to indulge in anything like exceptional legislation. He was surprised to hear it stated broadly that the Bill applied the same rule to urban property that it did to landed property; and he was surprised that, for the sake of catching a stray vote or two, for the sake of getting the vote of the hon. Member for Glasgow, Mr. Graham—["Hear, hear"]—he was in order in mentioning the name for the sake of distinction—and urban representatives, they should be invited to vote for the second reading of the Bill and make any alteration in it in Committee. The hon. Member, Mr. Graham, was at first in favour of the measure, but when he found it dealt with urban property he changed his opinion, and said he must oppose the second reading, unless Amendments, with regard to urban property, were accepted in Committee. The Royal Commission took a wider view, and said that, if landed property were dealt with in this way, the principle must be applied to other property, including goods for sale—which were something like a crop, were they not?—for they were the produce of industry. If the House dealt with this question at all, let it deal with it in a broad, just, and fair, and not in an exceptional manner.

He hoped the House would protect the rights of property, whether of the landlord, the shopowner, or the shopkeeper. He was opposed to exceptional legislation, and the existing law, judged by results in Scotland, was proved to be, on the whole, expedient, and, on the whole, he believed it to be just.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "pending the consideration (by a Committee of the House of Lords) of the whole question of the Law of Hypothec as existing both in Scotland and other countries, it is expedient to delay the further consideration of this Bill,"—(*Lord Elcho,*) instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GRAHAM said, that not wishing to talk the House out, he would confine himself to saying that he was prepared to maintain what he before expressed in that House, that he believed there was an entire difference in the action of the Law of Hypothec as between the landlord of the agricultural produce and the right of the landlord to hold lien over household property, whether in city or in country. This was a matter of great importance to the interests of dwellers in houses.

MR. CAMERON said, he believed that the complaints against the operation of the Law of Hypothec arose from what it was before 1866 rather than from what it had been since, and urged that there was a difference between a farmer giving nineteen years' credit and a merchant giving fourteen days' credit. This was not a landlord's question but a farmer's question and a poor man's question; and he knew men who had risen from a humble position to affluence mainly through the help they derived from the existing law.

And it being now a Quarter before Six o'clock,

Debate *adjourned* till *To-morrow.*

ELECTION COMMISSIONS [EXPENSES] BILL.

Resolution *reported;*

"That it is expedient to authorize Advances, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, for the payment of the Expenses of Commissions of Inquiry into Corrupt Practices at Elections of Members to serve in Parliament."

Resolution *agreed to:* — Bill *ordered* to be brought in by Mr. DODSON, Mr. ATTORNEY GENERAL, and Mr. AYRTON.

Bill *presented,* and read the first time. [Bill 109.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF COMMONS,

Thursday, 6th May, 1869.

MINUTES.]—PUBLIC BILLS—*First Reading*—Park Gate Chapel Marriages, &c.* [111].
Second Reading—Mines Regulation * [84]; Norfolk Island Bishopric * [104].
Referred to Select Committee—Poor Law (Scotland) Act (1845) Amendment * [80].
Committee—Irish Church [27]—R.P.
Committee — Report — Endowed Hospitals, &c. (Scotland)* [79-110].
Considered as amended—Stannaries * [101].
Withdrawn—Post Office Savings Banks * [69].

SEWAGE OUTFALL AT BARKING CREEK.—QUESTION.

MR. EASTWICK said, he would beg to ask the Secretary of State for the Home Department, Whether a Memorial from the Vicar, Churchwardens, Medical Practitioners, and other Inhabitants of Barking, in the county of Essex, calling attention to the present condition of the River Thames in consequence of the discharge of sewage through the main outfall sewers of the Metropolitan Board of Works, and praying that the subject of the Memorial may be taken into consideration, and that Her Majesty's Attorney General may be instructed to apply to the Court of Chancery for an injunction against the Metropolitan Board of Works to restrain them from discharging the sewage of London into the River Thames, has been presented at the Home Office; and, if so, whether any steps have been or are to be taken in consequence; and, whether copies of the Memorial in question will be distributed amongst Members?

MR. BRUCE said, in reply, that a Memorial of the nature described by the hon. Member had been received by the Home Office, and, in consequence, an inquiry had been directed to be made into the allegations it contained. When the Report was made, it would be for the Home Office to determine what steps should be taken to abate the nuisance, if such were proved to exist. There would be no objection to produce the Memorial if the hon. Member would move for it.

BETTING HOUSES.—QUESTION.

MR. H. F. BEAUMONT said, he would beg to ask the Secretary of State for the Home Department, Whether he is aware that the Act 16 and 17 Vic., c. 119, for the suppression of Betting Houses, is not enforced; and whether he will use such means as are in his power to enforce the Act forthwith?

MR. BRUCE, in reply, said, it was not altogether correct to say that this Act had not been enforced, seeing that within the last few years there had been five convictions under it. Great difficulty, however, existed in obtaining convictions under that Act, owing to the necessity of proving the fact that betting had been carried on in these houses, the owners of which took care there should be no betting in them during the presence of those who were not well known to them. Within the last month a conviction was obtained under the Act, and penalties of £50 and of £25 were imposed upon two of the persons present. The Chief Commissioner of Police was actively engaged in endeavouring to suppress these houses, and instituted prosecutions in every case in which evidence could be obtained to prove the illegal acts.

PRELATES OF THE IRISH CHURCH—ECCLESIASTICAL TITLES ACT.

QUESTION.

MR. MAC EVOY said, he would beg to ask the First Lord of the Treasury, Whether, upon the Bill for the disestablishment of the Irish Church becoming Law, the Prelates of that Church will come under the operation of the Ecclesiastical Titles Act?

MR. GLADSTONE: In answer, Sir, to the Question of the hon. Member, I have to state, in the first place, that as regards those who are now, or who will be, the Bishops or other dignitaries of the Established Church in Ireland, before the day appointed for the final act of disestablishment, the intention of the Bill, as it was originally introduced into the House of Commons, was that all persons becoming Archbishops, Bishops, or deans of that Church should continue to hold their title with the same rights as they possessed before the disestablishment of the Irish Church. In Committee on the Bill, however, an Amendment was introduced on the Motion of the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) on the 13th clause, which was willingly acceded to by us, because it did nothing more than express more fully the intention of the Bill. That is to say, the intention of the Bill had been to leave the titles of the Bishops and the other dignitaries of the Church where they were—the Bill saying nothing further than that, after that day, the Archbishops or Bishops should be disqualified from sitting in the House of Lords. But, on looking back to the effect of that Amendment, I find that it says that the present Archbishops, Bishops, and deans of the Irish Church shall be entitled to retain their titles and precedence for life, and, therefore, whereas under the effect of the Bill any persons appointed to those offices before the 1st of January, 1871, will have, as we think, their titles quite safe; those who are appointed after that date, as the Bill now stands, would stand in the same category as those who may come in after the disestablishment. Now, in answer to the other part of my hon. Friend's Question, I have to state that, as regards those who may hereafter be appointed dignitaries in the Disestablished Church, or after the passing of the Act, the enactments of the Ecclesiastical Titles Bill will render it illegal for them to assume the title of Bishop or Archbishop, or other dignitary of the Disestablished Church. That, I am told, is the effect of that Act. It will be remembered that, when that Act was in Parliament, a special exception was introduced into it in favour of the Bishops of the Episcopal communion in Scotland, which exception clearly indicated the feeling of Parliament that, but for that exception, those dignitaries would have come within its provisions. I must say that this is a state of things that ought not to be allowed to continue.

NAVY—THE "INCONSTANT."

QUESTION.

SIR JOHN HAY said, he would beg to ask the First Lord of the Admiralty, What has been the cause of delay to Her Majesty's Ship "Inconstant," and what occasioned the loss of that ship's rudder on her passage from Pembroke?

Mr. CHILDERS said, in reply, that there had been little or no delay, for what would have been done at Portsmouth had been done at Pembroke. At the outside the delay would be only ten days, perhaps only a week. There had been a defect in a brass casting, which had led to an accident with the rudder, but that had been remedied, and there was nothing more to deplore than the loss of a piece of brass.

BANK OF ENGLAND—PAYMENT OF DIVIDENDS.—QUESTION.

Mr. STEPHEN CAVE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether a Correspondence has taken place between the Treasury and the Bank of England, respecting the time and mode of payment of dividends; and, if so, whether he would have any objection to lay this Correspondence upon the Table?

The CHANCELLOR of the EXCHEQUER said, in reply, that a correspondence respecting the time and mode of payment of dividends had taken place with the Bank of England. It was not yet completed, but when it was concluded it would be laid upon the table.

IRELAND—PROCLAMATION OF DERRY. QUESTION.

Sir HERVEY BRUCE said, he wished to ask the Chief Secretary for Ireland, Whether he will object to lay upon the Table of the House Copies of the Documents or Statements which induced the Government to proclaim the City of Derry?

Mr. CHICHESTER FORTESCUE said, in reply to the Question of the hon. Baronet, he had to state that no document of such a nature as it was usual to lay before that House existed with regard to this subject. The Lord Lieutenant in proclaiming Derry had acted upon sufficient information furnished to him by the local authorities.

ARMY—RIFLE RANGE AT CHELMSFORD. QUESTION.

Lord EUSTACE CECIL said, he would beg to ask the Secretary of State for War, Whether it has been officially brought to his notice that the rifle range now used by the Militia and Volunteers at Chelmsford was lately reported upon and condemned as unsafe, in consequence of a Memorial addressed to the War Office and signed by three magistrates of the county; whether he was aware that, notwithstanding, target practice was still continued in the same spot, at the peril of all the residents in the neighbourhood; and, whether he will at once communicate with the proper authorities, in order that the nuisance complained of may be put an end to.

Mr. CARDWELL in reply, said, it had been recently brought to his notice that the rifle range referred to, which had been used for several years without accident and without apprehension, had been condemned as unsafe. An inquiry had been instituted, and the result of the Report was that proper precautions would be used to obviate any danger. The range would be inspected and approved by a competent officer before it was again used by the Volunteers.

CUBA—SEIZURE OF THE "MARY LOWELL" IN BRITISH WATERS. QUESTION.

Mr. GOURLEY said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether it be correct that at the time of the seizure of the American Brig "Mary Lowell," on the 15th March last, in the British Waters of the Bahamas, that vessel had on board an Officer of Her Majesty's Customs; and, if so, whether it be the intention of Her Majesty's Government to demand the surrender of that vessel; and, if any demand has been made in reference to this seizure upon Her Majesty's Government by the Government of Washington?

Mr. OTWAY said, in reply, that he was unable to give any further answer to the Question than he gave the other day to a Question put by the hon. and gallant Member opposite (Sir John Hay). The facts were that the *Mary Lowell*, an American vessel, was captured by a Spanish man-of-war, and there seemed to be good reason to believe in British colonial waters. She was taken to Havannah and condemned by a Cuban prize court as a prize. Some communications had been made to the Spanish Government on the subject; and, pending the result of them, it was not desirable to state what was the nature of the instructions which had been issued by Her Majesty's Government, and that answer applied with still more force to the latter part of the Question.

IRISH CHURCH BILL—[BILL 27.]

(*Mr. Dodson, Mr. Gladstone, Mr. John Bright, Mr. Chichester Fortescue, Mr. Attorney General for Ireland.*)

COMMITTEE. [*Progress May* 4.]

Bill *considered* in Committee.

(In the Committee.)

Clause 39 (Repeal of Maynooth Acts. Compensation on the cessation of certain annual sums).

Amendment again proposed, in page 19, line 16, to leave out from the words "in respect of," to the word "College," in line 19, inclusive."—(*Sir George Jenkinson.*)

COLONEL BARTTELOT expressed his opinion that the Amendment proposed by the hon. Baronet was one of the greatest importance that could be brought before the Committee. Another Amendment on the same subject was to be brought forward by the hon. Member for Kirkcaldy (Mr. Aytoun), but that had nothing to do with the Amendment now before the House. The present Amendment was the one on which Members went to the hustings, and upon which they were returned to that House; for he believed that the right hon. Gentleman at the head of the Government pledged himself last year that no portion of the funds of the Church should be applied to Maynooth. [Mr. GLADSTONE dissented.] The right hon. Gentleman shook his head; but he cared not for that, because the question was not what the right hon. Gentleman himself intended, but what the country understood from his declarations. The country distinctly understood that not one fractional part of the revenues of the Church should be devoted to the College of Maynooth. ["No, no!"] Could he do so without a breach of Order he would appeal to the hon. Member the Chairman of Committees and ask him whether it was not true that in Sussex, the county to which they both belonged, the understanding to which he had just referred was not entered into on the various hustings? The question asked by honest men at the time of the election was—"Is the grant to Maynooth to cease, or is it to be carried on out of the funds of the Established Church?" and the answer was—"It is to cease altogether." The Amendment of the hon. Member for Kirkcaldy did not deal with that point; but the Amendment of the hon. Member for Wiltshire did; and, so far as he (Colonel Barttelot) was concerned, not one farthing of these funds should be devoted to the College of Maynooth. The giving of a lump sum to the College would simply be a perpetuation of the Maynooth Grant out of the funds of the Established Church. That was against all his principles and convictions. If the money was taken out of the Consolidated Fund, certainly it would be what the people of England had not expected; but he was sure they would rather consent to that than that one farthing of Church property should be devoted to the College of Maynooth. Hon. Members who professed the Roman Catholic faith knew that he would not say one word disrespectful to them; but if only twenty Members went into the Lobby in support of the Amendment he would be one of them. A statement was made by the hon. Member for North Warwickshire (Mr. Newdegate) the other day, that when his late Colleague, Mr Spooner, brought forward his Motion against Maynooth, he was invariably treated with respect. A great many Members always had voted against the Maynooth Grant. An hon. Gentleman on the opposite side a few nights ago spoke of the "levelling-up" principle; but three-fourths of those who sat on that (the Opposition) side of the House never did and never would endure any such "levelling-up" principle. They were decidedly opposed to it, and the right hon. Gentleman and his friends had raised that point most unfairly on the hustings; because they knew that this House would have rejected any such proposition, by a very large majority on both sides of the House. Hon. Gentlemen had therefore no right to bring in that levelling-up principle, or to say that they (the Opposition) were to be bound by the expression of any one man. If Members were to be bound by any expression that might fall from a Leader of their party, he asked hon. Gentlemen opposite if they would consent to be bound by the expressions of the President of the Board of Trade on the land question? His opinion was that they would not be so guided, but would listen to the safer counsels of the right hon. Gentleman at the head of the Government. His sincere conviction was that if they consented that any portion of the

Church funds should be devoted to the support of Maynooth they would be doing that which was most certainly wrong.

Mr. SINCLAIR AYTOUN said, that as on Tuesday the right hon. Gentleman at the head of the Government expressed a hope that the one debate might be made to serve for both his Amendment and that of the hon. Baronet the Member for North Wiltshire, he would in the discussion of the Amendment now before the Committee say what he had to say in support of his own Amendment which was yet to come. But as the object of the hon. Baronet was to prevent any of the funds of the Irish Church from being applied to compensating the officials and students of Maynooth, while his Amendment was not intended to have that effect, but to provide that the compensation coming from those funds should be different in amount, and in the manner of application from the compensation provided by the clause, he should think it necessary to call for a division on his Amendment. Having made that statement, he would proceed to speak in favour of the Motion which he had placed upon the Paper.

The CHAIRMAN: The hon. Member has stated that his own Motion is different from that of the hon. Member for North Wiltshire, and that he intends to take a division upon it. He then proceeds to state that he will offer observations upon his own Amendment. The question, however, now before the Committee is the Amendment of the hon. Member for North Wiltshire.

Mr. SINCLAIR AYTOUN said, he was under the impression that he was acting in accordance with a suggestion made by the right hon. Gentleman at the head of the Government. He should not have ventured to adopt that course on his own authority. After the decision of the Chairman, however, he should reserve his observations for the present.

Sir HERVEY BRUCE said, that having never voted on the subject of Maynooth he wished to explain the vote which he was about to give, and without venturing to express any opinion as to the funds voted to Maynooth—there being much to be said on account of the grant being guaranteed by Act of Parliament—he could not consent to the endowment being given from the funds of the Irish Established Church. With regard to the Presbyterian Church, he had always voted for the small sum given to her ministers when opposed by the hon. Member for Sheffield, and he had advocated an increase; but, that if the hon. Member for Kirkcaldy had taken the opinion of the Committee, he would equally have objected to the Consolidated Fund being relieved at the expense of the funds of the Irish Church. He would remind the hon. Member for Roscommon (The O'Conor Don), who had urged the other night that Maynooth and the University of Dublin should stand on the same footing, that there was this material difference between them, that at the latter the privileges of education were open to all, while at the former they were confined to members of the Roman Catholic religion. Some hon. Gentlemen opposite appeared to think that they were getting a very small portion of the spoil; but they should bear in mind that this was not a fund that had been suddenly discovered by the nation. It was money that belonged to the Established Church by law and by inheritance. The argument that other denominations did not get an equal share with the Established Church was of no validity, because they were not entitled to any of it. The money belonged to the Church, and if Parliament took it away from its legitimate owners they had no right to give it to a religion according to whose views the Established Church had no right whatever to any possessions in the land. He hoped the Committee would well consider the great gravity of the question. With regard to the source from which the compensation was to be made to Maynooth, they were, of course, bound to accept the denial of the Prime Minister as to his pledge not to endow Maynooth out of the funds of the Established Church; but the country certainly laboured under the impression alluded to by the hon. and gallant Member for West Sussex (Colonel Barttelot). He thought, therefore, the country ought to have an opportunity of again expressing its opinion before Parliament finally acceded to the proposals of the Government.

Mr. GLADSTONE: Sir, if the hon. Member for Kirkcaldy (Mr. Aytoun) has fallen into an error, I fear I am the immediate cause, and it was his courtesy, in acting on a suggestion of mine, which has caused him to be amenable to your correction. I cannot, however, take much blame to myself for falling into that error, because a construction has been put upon the Motion of the hon. Member for North Wiltshire (Sir George Jenkinson, which I did not gather from his speech, and which to me, at all events, is somewhat astonishing. Now, the hon. and gallant Member for West Sussex says that there was a special pledge given not to pay any compensation to Maynooth out of the funds of the Irish Church—

Colonel BARTTELOT: I did not say that. What I said was, that the country so understood it, whatever may have been the words of the right hon. Gentleman.

Mr. GLADSTONE: Well, that the country understood such a pledge was made. What I affirm is this — and I am perfectly certain that the hon. and gallant Gentleman will not contradict me—that never at any period during the last Session of Parliament, or during the elections, was the slightest distinction drawn either by myself, or by any of my Friends who sit near me, in respect to the source from which compensation was to be made, or in respect to the principle upon which it was to be founded, between the case of Maynooth and of the Presbyterians. Will the hon. and gallant Gentleman contradict me on that point?

Colonel BARTTELOT: I do not wish to contradict the right hon. Gentleman. What I wished to explain was simply this, that what the country understood was, that none of these funds were to be applied to the maintenance of the College of Maynooth.

Mr. GLADSTONE: Then what I return to is this—that, on every occasion, in every speech delivered by any persons connected with the Motion of last year, or with this Bill, the compensation to the Presbyterians and the compensation to Maynooth were placed in the same category; and I cannot believe that the country is so devoid of intellect and commonsense perception as the hon. and gallant Gentleman implies it to be, when he says that they never understood anything about the Presbyterians, but that they did understand that no compensation was to be made to Maynooth out of the Church Fund.

Colonel BARTTELOT: I rise to Order, Sir. I did not mention the Presbyterians at all. We have passed that branch of the subject.

Mr. GLADSTONE: I know the hon. and gallant Gentleman did not mention the Presbyterians, but I will mention the Presbyterians. What is the predicament in which we stand, and what is the sacredness of this Church Fund? You have already relieved the Consolidated Fund to the extent of between £700,000 and £800,000, every shilling of which is to be paid to the Presbyterians. You have voted that without a word, and you have voted it out of the Church Fund. In opposition to that proposal we have not had a division, a speech, or even an objection, except from one or two Gentlemen who thought we did not give enough—that is to say that we did not cut enough off the Church Fund. Well, then, on what principle are we to stand? Are we come to this point, that even now, in the last act of the unhappy history of the Irish Church, we cannot proceed upon principles of equality and justice, but must make a search in the country to see if we can find the embers of a slumbering religious prejudice? After we have sat silent, as the hon. and gallant Gentleman sat silent, while we were voting money from the Church Fund for the Presbyterians, he now rises and proposes as a patriotic and constitutional principle—urging in support of it a pledge which has not a shadow of existence—that Maynooth is to be excluded from this mode of compensation. What I wish particularly to direct the attention of the Committee to is that, whatever argument the case is susceptible of, that argument is not between Maynooth and the Church Fund, but that it is one between the Consolidated Fund and the Church Fund. That certainly is a very fair argument, but it embraces the Presbyterians just as much as it does Maynooth, and I never will believe till I see it—and see it I am certain I shall not—that this Committee, after having silently voted £750,000 out of the Church Fund, for compensating the Presbyterians, will turn round, under circumstances which are analogous and substantially identical, and endeavour to exclude Maynooth from the same benefits, trusting that, when we come to propose a grant to Maynooth afterwards as an isolated grant out of the taxes, it would be possible to raise a popular prejudice against it. As between the Church Fund and the Consolidated Fund the question is a fair one to raise—whether the Government will do rightly in proposing that these compensations in respect to the Presbyterians and Maynooth should be laid upon the Consolidated Fund and not upon the Church Fund. But I would first say a word to those who think it unjust to Ireland to place these compensations upon the Church Fund, because the payments in respect to which they are made are now charged upon the Consolidated Fund. If an account be taken between the Consolidated Fund and Ireland under the Bill, as it has been presented by the Government, and as it has been thus far passed by the Committee, I will venture to say that Ireland is a debtor and not a creditor. If we are going—and it is true that we do so—to relieve the Consolidated Fund of something like £66,000, which might represent a capital of £1,000,000 or £1,500,000—you may take it at a larger sum if you like—I say that not even that is as much as the Consolidated Fund gives to Ireland in the arrangements to be adopted. The public credit of the Consolidated Fund is to be used on behalf of the Church property to a considerable extent. The tithe has been sold at sixteen or seventeen years' purchase; for that we are to realize twenty-two and a-half years, and that is a difference approaching £2,000,000. The Church estates will be sold in the same manner under a system of advances, which only the use of the credit of this country will enable us to make, and I believe another £1,000,000 or £1,500,000 will be realized for the Church Fund of Ireland by the use of that machinery. Therefore, as between the Consolidated Fund and Ireland, a great deal more is distinctly given to Ireland by the use of the general credit of the country, under the machinery of the provisions of this Bill, than the amount of relief which, I admit, the Consolidated Fund will receive from the operation of the Bill. I do not look upon this as a question between England and Ireland, and if the representatives of Ireland at any time think fit to appeal for relief out of the Consolidated Fund in respect of the charge, I have no doubt that, provided the occasion was one when Ireland had a just and equitable claim, the House would be very willing and ready to lend an ear to it. What we have to do is to look to the right and the reason of the case, as far as we can perceive them; and, as far as we can perceive them, they are these—The grant to the Presbyterians and the grant in respect of Maynooth are really Irish charges; and it is much more easy, in my opinion, to show that the imposition of those charges has been a great hardship to the people of Great Britain than it is easy to show that to relieve the people of Great Britain in respect of them is unjust to Ireland. They have been Irish charges, imposed for Irish purposes—imposed, I venture to say, again, for the purpose of maintaining and shoring up this decrepit fabric, which never was able to stand upon its own feet. The people of England have been sconced in one form and another in order to maintain it, and it is therefore a fair and a just claim that charges never incurred for their benefit, but for the benefit of the Irish Establishment—["No, no!"]—should be paid out of the funds of the Irish Church Establishment. On the first night of the discussion, in reply to the right hon. Gentleman the Member for North Northamptonshire (Mr. Hunt) I stated that it was a matter which the Government never regarded as a foundation principle of this great measure, but it was one on which they had a strong and clear conviction; and I must say I believe that that conviction is sustained, as far as I can learn, by the general sense and feeling of the country. There is really a very valid connection between the two questions—whence compensation is to come, and whether compensation shall be given, and the objection I have taken to the Motion of the hon. Baronet the Member for North Wiltshire (Sir George Jenkinson) is not a mere objection to the form. If he wanted to raise the question whether these compensations were justly put upon the Church funds he should have raised it before. He should have raised it at the moment when we proposed to place the charge for the annuity in lieu of the *Regium Donum* upon the Church Fund. Perhaps we shall hear an appeal to religious principles in support of this Motion, and shall be told we ought not to support the placing upon the Church Fund of the charge for compensating those who differ from us as the Roman Catholics do. Well, you have not been at all squeamish up to the present moment; you have not only compensated the Presbyterians of the Synod of Ulster, who agree with you in what are commonly considered the cardinal Articles of the Christian faith; but you have quietly and calmly, and without a word of objection, compensated out of the Church Fund those who do not agree with you in such matters—those who are called non-Subscribing or Arian Presbyterians and Unitarian Presbyterians, the nature of whose differences with you are sufficiently indicated by that very brief recital. God forbid that I should endeavour to draw attention to their nature; with that we have nothing to do; but it is not without some emotion I see an endeavour made to take advantage of religious prejudice to raise this question, not in its right place, as you would have done if your object was to save the Consolidated Fund, and to maintain what you call consistency with the professions of last year. At the time when the Presbyterian compensations are secured, and you are afraid of difficulty with your Presbyterian constituents, you now turn round upon the Roman Catholics; you think you have Government in a corner, and that you will, first of all, be able to keep them from participating in the general grant of compensation, on the ground of the impropriety of charging theirs on the Church Fund, and that you will then necessitate the proposal of a grant for them, and for them alone, out of the Consolidated Fund. The proposal of the Government is in perfect consistency with the literal meaning and the spirit of all their declarations upon this subject. At all times we have declared that the same equitable and liberal spirit of dealing which was to be applied to the Established Church—and which we have applied to it—must be applied to the Roman Catholic and to the Presbyterian bodies in Ireland; that in that spirit all the arrangements must be adjusted which were connected with bringing to a close the present relations between the State and the Church in Ireland as respects the pecuniary support of religion, and; that when that was done, what remained of the Church property of Ireland should not be applied to the maintenance of any Church, or of any clergy, or the teaching of religion in any form. These were the pledges we gave to the country, these pledges we have satisfied by bringing this Bill before the Committee, and we ask the Committee to assist us in redeeming them.

SIR JAMES ELPHINSTONE agreed with all that had been said by his hon. and gallant Friend the Member for West Sussex (Colonel Barttelot). He paid close attention to what was said by Members of the present Government, and their friends and myrmidons in different parts of the country; and he declared that had it not been that it was believed, especially by the Scotch Members, from the whole tenour of these speeches, that not a single farthing was going to Popish purposes, the Government would never have obtained the majority they had obtained. If the designs of the Government had been known, the Government would never have existed. In 1829 Lord Palmerston said, that none but a profligate Government could bring forward such a measure as this. The Roman Catholics in that year entered into a most solemn engagement to abstain at all times from any interference with the Protestant Church in Ireland. Therefore the representatives of the Roman Catholic party who voted for this Bill were covenant breakers. His Friends on the Liberal side of the House, who were Members for Scotland, in supporting this Bill acted contrary to every tradition of their forefathers. He was a Presbyterian, and he considered that whatever grant was made from a Protestant fund of that description to a Protestant sect, whether a Presbyterian or not, was a legitimate conveyance of the money. But he objected to an appropriation of the money to purposes which, in his belief, would amount to gross spoliation and robbery, and the endowment of Popery from the funds of the Protestant Church.

MR. M'LAREN said, he had listened with great surprise to the hon. Baronet's denunciation of the Scotch Members. The hon. Baronet seemed to misapprehend the state of public opinion in Scotland on this subject. He thought the hon. Baronet could not have been in Scotland during the period of the elections, and could not have read the speeches that were then delivered. If he had, he would never have fallen into such a great error as he had done respecting the state of public feeling in that country. His argument assumed that, by granting compensation to Maynooth College out of the funds of the Irish Church, they aggravated the feeling which existed in Scotland against the Maynooth Grant, and that to take the £360,000 or £370,000 that was required out of the Consolidated Fund would be a concession to the feelings of the Protestants of Scotland. [Sir JAMES ELPHINSTONE: I never said anything of the sort.] He believed that if it had been proposed in this Bill that the capital sum to compensate Maynooth should be given out of the Consolidated Fund, instead of the surplus funds of the Irish Church, there would have arisen an agitation in Scotland, from North to South, which the Government would have found it very troublesome indeed to encounter. And why? Because there were thousands in Scotland who, having a strong opinion against the Roman Catholic religion, thought it was almost sinful to pay taxes in the usual way for that religion. And when there were ecclesiastical funds in Ireland so large that the Government did not know what to do with them, and amply sufficient to compensate the claimants on the Maynooth Grant, the Protestants of Scotland thought they were entitled to say—"Out of your super-abundance you may settle the Maynooth question without asking us as tax-payers to contribute £300,000 or £400,000." He thought that if strict justice were done, all the money that had ever been paid in the shape of *Regium Donum*, and the money that had been paid to Maynooth out of the Consolidated Fund ought to be paid back, out of the first of the moneys derived from the property of the Irish Church.

MR. GREENE said, he was surprised to hear the hon. Member for Edinburgh speak as he had done, considering what had happened last Session. In Committee on the Established Church (Ireland), last year, he moved—

> "And, that no part of the Endowments of the Anglican Church be applied to the Endowment of the institutions of other religious communions."

Among those who voted with him in support of that Motion he found the names of the hon. Member for Edinburgh (Mr. M'Laren), the hon. Member for Perth (Mr. Kinnaird), for Linlithgow (Mr. M'Lagan), for Leicester (Mr. P. A. Taylor), for Newcastle (Mr. Candlish), for Kirkcaldy (Mr. Sinclair Aytoun), for Glasgow (Mr. Dalglish), for Finsbury (Mr. Alderman Lusk), for Peterborough (Mr. Whalley), and for Plymouth (Mr. Morrison). He might mention the names of others not now in Parliament, among whom was Mr. Mill. He should be the more surprised but that it was no uncommon thing for hon. Members to change their opinions. But the country felt strongly on this question; and he firmly believed that if it had been thought the money of the Irish Church would be used for the purposes of Maynooth the movement would not have been supported. Hon. Members would remember how strong the feeling had been each year against any grant whatever being made to Maynooth; how much more strong, then, should be the feeling against a grant of Protestant funds? He did not desire to say one word against Roman Catholics. They had as much right to their opinions as he had to his own; but there was a strong opinion in this country, which he shared, that Romanism was a great error, that it was opposed to religious and civil freedom. Hon. Members on the Government side felt themselves bound on this particular question rather more tightly than some of them liked, and he had no doubt they would gladly be let loose to vote as they pleased. He called upon them to be consistent, and go with him into the Lobby as they did last year—in spite of the strong appeals of the hon. Member for Oldham (Mr. Hibbert) and the present Prime Minister—like good and conscientious men.

MR. M'LAREN said, he believed the memory of the hon. Gentleman was even more defective than that of the hon. Baronet the Member for Portsmouth. The Resolution to which the hon. Gentleman referred was not one about the Maynooth Grant. The Resolution which the House had previously adopted was to the effect that the Maynooth Grant and the *Regium Donum* should be abolished, along with the Irish Church, and that all of them should be compensated by due regard being had to all personal interests. Of course, he quoted from memory, but, he believed, that was the effect of the Resolution. The additional Resolution thereafter proposed by the hon. Gentleman opposite should be interpreted by the proposal of the then Government in favour of "levelling up"—and which had formerly been favoured by many distinguished Members of the Liberal party—for endowing a Roman Catholic Church Establishment, in addition to the Protestant Church. The Resolution of the hon. Member was directed against these proposals, and not against compensating the personal claims connected with Maynooth out of the property of the Irish Church. In this sense the Resolution was discussed, and in this sense he voted for it. If the hon. Member would read his own speech on the occasion he would find that the Resolution was directed against this "levelling up" system—the proposal that part of the surplus revenues of the Established Church in Ireland should go to endow the Roman Catholic Church. He (Mr. M'Laren) intended voting on this occasion consistently with his vote on the hon. Member's Motion, because his opinions had not in the least changed.

MR. GREENE said, the words of his Amendment were—

> "And, that no part of the Endowments of the Anglican Church be applied to the Endowment of the institutions of other religious communions."

THE LORD ADVOCATE rose as one of those representatives of Scotland who, according to his hon. and gallant Friend (Sir James Elphinstone), had deserted the traditions of their country, and wished to defend himself and the very large and important body of his fellow-countrymen —the constituencies of Scotland—upon whom the imputation had been cast. It was true Scotland had been always strong as a Protestant country, and true also that she was now as distinctly Protestant as she had been in 1560, and as Presbyterian as she had been in 1640. But there was one tradition which the hon. Baronet—who, by the way, did not represent a Scotch constituency—had forgotten. The Scotch had always objected, as contrary to justice and right, to impose upon a reluctant majority the Established Church of a minority. They had remembered that tradition during the recent election; and it was not necessary that Scotch representatives should express their opinions upon the points contained in this Bill, because the views of the country were so plainly stated as to leave no manner of doubt about them. They supported the proposition to disendow and disestablish the Irish Church, not because they were not Protestants, but because they were; because they knew, from their own experience, what it was to be oppressed by the Church of the minority. But the hon. Member had raised a question of fact, and he rose to deny the statement made. The hon. Baronet had said that it was well understood in the Scotch constituencies that no compensation was to be paid out of the funds of the Irish Church to Maynooth; he, on the contrary, could state as a fact, from his own experience, that the general impression throughout the constituencies, as far as he knew it, was that compensation was to be paid both to the Presbyterians and the Roman Catholics. The questions—how much that compensation should be, or whether the money that was to be paid was to go beyond compensation, were entirely different questions. But it was undoubtedly the fact not merely that no pledge was given that the money should not be so applied, but it was the general understanding that it was to be so applied. The charge of inconsistency against the hon. Member for Edinburgh (Mr. M'Laren) could be disposed of by a reference to the Journals of the House, from which it would be seen the course of business in Committee on the Irish Church was as follows. The hon. Member for Kirkcaldy (Mr. Aytoun) moved the following Resolution:—

> "That when the Anglican Church in Ireland is disestablished and disendowed, it is right and necessary that the grant to Maynooth and the Regium Donum be discontinued; and that no part of the secularized funds of the Anglican Church, or any State funds whatever, be applied in any way, or under any form, to the endowment or furtherance of the Roman Catholic religion in Ireland, or to the establishment or maintenance of Roman Catholic denominational schools or colleges."

To that an Amendment was moved to leave out all the words after "that," for the purpose of inserting the following words:—

> "When legislative effect shall have been given to the First Resolution of this Committee respecting the Established Church of Ireland, it is right and necessary that the grant to Maynooth and the Regium Donum be discontinued."

The Committee divided upon that question, and the original Motion was lost. The present Prime Minister then moved as an addition to the Amendment, which had now become the substantive Motion, the words "due regard being had to all personal interests." Upon these words being added the hon. Member (Mr. Greene) proposed as an Amendment—

"And, that no part of the Endowments of the Anglican Church be applied to the Endowment of the institutions of other religious communions."

This was lost, and the Resolution finally come to was as follows:—

"That when legislative effect shall have been given to the First Resolution of this Committee, respecting the Established Church of Ireland, it is right and necessary that the grant to Maynooth and the Regium Donum be discontinued, due regard being had to all personal interests."

The question, therefore, was whether it was compensation or endowment proposed by the Bill. The Committee had given compensation to the Presbyterians; and now that had been done it was sought to deprive the College of Maynooth of the same measure of justice.

Sir JAMES ELPHINSTONE said, he had made no allusion to the Consolidated Fund. What he maintained was that the country understood at the last election that no portion of the funds of the plunder of the Irish Church should be devoted to Popish purposes. It was upon that understanding that they had canvassed their constituents, and it was certainly upon that understanding that he himself had been returned to Parliament. He did not think the representatives of Scotland would thank the Lord Advocate for the explanation he had given of their views upon the matter. He believed, when it was known in Scotland to-morrow that it was the deliberate intention of the Scotch Members to endow Popery out of Protestant funds—["No, no!"]—it would be as a fiery cross to rouse Scotland against the Government of the right hon. Gentleman. At that very moment the Scotch Members, by their own mouthpiece, admitted that they were in league with Cardinal Cullen. [*Laughter.*] Hon. Gentlemen might laugh; but that was the position of the question. They were in league with Cardinal Cullen to plunder the Established Church of Ireland; and they were, to a great extent, about to endow the Popish religion by paying compensation money to Maynooth.

Mr. H. A. HERBERT said, that as he entertained strong feelings on the subject, he desired to say a very few words. He agreed with hon. Gentlemen on the Opposition side of the House that the people of this country did not, at the time of the General Election, understand that the compensation money which was to be paid to Maynooth was to come out of the funds of the Protestant Established Church. He would say this, however, that it certainly was understood that Maynooth was to be compensated out of some funds. For himself he was perfectly willing, if hon. Gentlemen on the Opposition side would support a proposal to endow that College out of the Consolidated Fund, to walk into the same Lobby with them. He believed however that, if once the present opportunity was allowed to slip, Maynooth would be left without compensation, whether out of the funds of the Church or the Consolidated Fund.

Mr. J. LOWTHER said, whatever might be the merits of the question in dispute between his hon. Friend the Member for Bury St. Edmunds (Mr. Greene) and the hon. Member for Edinburgh (Mr. M'Laren), the Committee would probably be of opinion that the hon. Member for Edinburgh had maintained that character for shrewdness which was enjoyed by his countrymen. For a very long period the people of England had been under the impression that a very strong feeling existed in Scotland against any contribution being made from any funds whatever towards the support of the Roman Catholic religion. But, from the remarks of the hon. Member for Edinburgh, it would seem that the English people had been labouring under a very great delusion. It would appear that the opinion of the people of Scotland was not against the endowment of the Roman Catholic religion, but was merely against being compelled to put their hands into their pockets for the purpose of paying for that endowment. It would seem that when the contributions for the endowment of Maynooth were derived from any other source than these same pockets it was called an act of justice. Hon. Members on the Opposition side had been twitted by the right hon. Gentleman at the head of the Government with having allowed the clause relative to the compensation of the Presbyterians to pass without comment, and then violently opposing the clause for the compensation of Maynooth. He begged, however, to direct the attention of the right hon. Gentleman to a fact which he had evidently forgotten—namely, that they were, in the instance under discussion, creating a permanent endowment, not for an ordinary religious body, but for a College. The right hon.

Gentleman said that Gentlemen on the opposite side did not object to privileges being granted to the Presbyterians, but that they objected to their being granted to the Roman Catholics. Now, he begged to remind the right hon. Gentleman that, when the hon. Member for Kirkcaldy (Mr. Aytoun), some nights ago, rose to move his Amendment, objecting to compensation in a lump sum being given to Maynooth, he was prevented from proceeding upon a point of Order; and the right hon. Gentleman himself, in objecting to the Amendment which he (Mr. Lowther) ventured to propose, anticipated the discussion by moving to strike out the clause, stating as his reason that he wished the discussion on the endowment of the Colleges to be taken on the question of the endowment of Maynooth. [Mr. GLADSTONE: No, no!] He begged pardon if he had misrepresented the right hon. Gentleman; but he understood the right hon. Gentleman to say that it would be convenient if Clause 37 were struck out, for a similar question might be raised on the clause now under discussion. What he wanted to convey to the Committee was that the object of the right hon. Gentleman, in moving to strike out Clause 37, was that the endowment of the Presbyterian College might be considered at the same time as that of the College of Maynooth. Now, he (Mr. Lowther) objected quite as much to the payment of a lump sum to the Presbyterian College, as a corporate body, as to Maynooth. He objected as a matter of principle, and not as a question of "No Popery," or anything of that kind; and, as the question was now under discussion, he trusted his hon. Friend the Member for North Wiltshire (Sir George Jenkinson) would not be deterred from dividing. The question was one of importance, and for his own part he would sooner see every shilling of the proceeds of the Irish Church property shovelled into St. George's Channel than that one shilling of it should be given to the permanent endowment of Popery.

MR. SINCLAIR AYTOUN said, that as the hon. Member for Bury St. Edmunds (Mr. Greene) had mentioned him as having voted with him last year, he desired to make one or two observations by way of explanation of the course which he then adopted. He supported the Motion of the hon. Member because he understood it declared that none of the funds of the Anglican Church were to be given to endow any religious denomination whatever, including, of course, the Roman Catholic. He put it to hon. Gentlemen candidly to declare whether, as the clause under discussion at present stood, it was or was not an endowment of Popery. There was where they differed. Gentlemen on his side of the House tried to make out that it was simply compensation; but he had no hesitation in saying that it was more; and, if he should have an opportunity that night, he should prove that it was a permanent endowment of Maynooth, to the extent of £200,000. Holding this opinion, he found himself placed in a somewhat difficult position. If he voted for retaining the clause as it stood, he would appear to give his vote in favour of the permanent endowment of Maynooth, and if, on the other hand, he voted with the hon. Baronet opposite (Sir George Jenkinson), for taking the money for the compensation out of the Consolidated Fund, instead of out of the secularized funds of the Established Church, he would appear to be equally in favour of endowing Popery. He did not wish to do either the one or the other. He did not wish to give a shilling in the shape of permanent endowment.

MR. HUNT said, in reply to the challenge of the hon. Member for Kerry (Mr. H. A. Herbert), he wished to state that, as far as he was concerned, he was willing to vote for compensation to the College of Maynooth out of the Consolidated Fund. He agreed with the hon. Gentleman that the country fully understood that no compensation was to be paid to Maynooth, or to any religious body, out of the property of the Irish Church. He considered it would be perfectly fair that the Consolidated Fund should be at the expense of providing compensation; because, as soon as the Maynooth Grant was repealed by the passing of that Bill, the Consolidated Fund would be relieved of a very heavy burden that was at present placed upon it. He begged, however, to be understood as limiting himself to this extent, that he would not agree to compensation being granted out of the Consolidated Fund to Maynooth to the extent of fourteen times the income of that institution. What he should be willing to consent to was, that compensation should be paid in respect of life interests to those who had life interests in the grant, and suitable compensation in respect of the average attendance of students at the College, but that it should not be granted to the extent he had indicated. The right hon. Gentleman at the head of the Government had stated very fairly that the interests of the Presbyterians and those of the Roman Catholics ought to stand on the same footing. When the right hon. Gentleman made the declaration that none of the proceeds of the Church property should go to the support of any religious body, he (Mr. Hunt) supposed that the remark applied equally to the Presbyterians and the Roman Catholics. Be that as it might, there could be no doubt that the point the country looked at was with regard to the Roman Catholics. When the declaration of the right hon. Gentleman was made, there could be no doubt that the eyes of the country were fastened on Maynooth, and not on the *Regium Donum*. But, whatever views their constituents took of it, they, in that House, ought not to confine their attention to the question of Maynooth. He was not present when Clause 36 was passed; but he was prepared to make up for his dereliction of duty by voting to strike out Clause 39, and Clause 36 also when the Report was brought up. He fully admitted that the two things ought to go together. He had intended to vote against any of these charges being thrown on the funds of the Established Church, and he was prepared to maintain that view.

MR. G. H. MOORE observed, that, in the old debates which took place on the endowment of Maynooth, the common, conscientious objection always started was that it was wrong to tax British Protestants for the maintenance of a religion which they disapproved; but the most having been made of that scruple, a new one was invoked, and the objection now was that Maynooth should be endowed or compensated out of the Established Church. Those who urged that objection, however, forgot that it was only in case of those funds ceasing to be the property of the Established Church that there should be applied to the compensation of Maynooth a portion of a surplus which was so large that nobody knew what to do with it.

MR. NEWDEGATE admitted the truth of the observation that if they were to assume that the property of the Protestant Church had been confiscated, it had ceased to be that of the denomination to which it had belonged. But Gentlemen on his side of the House had always objected to confiscation; and they did not think it was any additional recommendation in favour of confiscation that the confiscated property of the Protestant Church was to be applied to the purposes of the Roman Catholic religion. That was the reason why last Session the hon. Member for Bury was not able to accept the assurance of the right hon. Gentleman the President of the Board of Trade that the Prime Minister had given the House an assurance quite sufficient to convince any reasonable man that no part of these funds would be applied to purposes of any other religious denomination. The Prime Minister had treated this matter and the opposition to this clause as the result of mere religious prejudice, and a prejudice, moreover, displayed only upon the part of Protestants. The truth, however, was that the objection to the endowment of Maynooth had its root in a disapproval of the dominant spirit of Ultramontanism now supreme at Rome —a spirit which was perfectly well understood at Paris, in Italy, and in Spain; but which, he was sorry to say, was not not so clearly understood as it ought to be in the House of Commons. There was a difference between the Roman Catholic religion and the temporal ambition of the Papacy which was perfectly understood through every court and every country of Europe among Roman Catholics. A Roman Catholic, Mr. Whittle, had, in a pamphlet and in other works, explained this difference as the reason why many Roman Catholics object to sending their children to Colleges which are under exclusively priestly direction. This objection was founded upon the difference known to exist between the Roman Catholic religion and what was recognized all over the world as Popery. Yet the Prime Minister stigmatized this knowledge as prejudice. Those who sat on the Opposition Benches were taunted because they had not objected to the granting of compensation to the Presbyterians, and because having so acted they were now objecting to the endowment of the Roman Catholics. But there was a great and material distinction between the two cases. The Presbyterians acknowledge the supremacy of the Crown, but Cardinal Cullen, Dr. Manning, and their followers repudiate that supremacy. That was sufficient to justify the hon. Member for Bury in moving, as he had done last year, that no part of the Church funds should be given towards the endowment of Maynooth. He (Mr. Newdegate) had no wish to detain the Committee. He had risen principally to protest against the doctrine of the Prime Minister that the opposition to this clause had had its origin in prejudice.

MR. ELLICE must say, with reference to the willingness of the right hon. Gentleman (Mr. Hunt) to give compensation or endowment, or whatever else they might term it, out of the Consolidated Fund, but not out of the surplus revenues of the Disestablished Church in Ireland, that he, for one, could see no difference between the two funds. If the Consolidated Fund was the property of the public, so also were the surplus revenues of the Church in Ireland. Therefore, as regarded that argument, he, for one, could lay but very little stress upon it. He did not want to go into the present argument as to the endowment of Maynooth; they had to deal with a particular Amendment, and to that he would confine himself. He was very strongly opposed to that part of the clause which would set up, under Parliamentary sanction, an ecclesiastical Roman Catholic corporation in Ireland, and he should be prepared, when the proper time came, to vote against any additional endowment to Maynooth. On the other hand, he felt bound by the Resolution passed last year to give proper and full compensation to all existing interests. How were they to give that compensation? He thought they gave a boon to Ireland last year when they consented that, instead of applying any of the property of the Disestablished Church to general public purposes, it should be entirely applied to the benefit of Ireland; and one of the very first purposes to which it could be legitimately applied was to compensate the interests that existed in Ireland. He certainly thought that the surplus funds of the Disestablished Church, after providing for all just claims in connection with existing interests, should be appropriated to compensate existing interests in connection with Maynooth as now existing under the Consolidated Fund. It was therefore impossible that he could do otherwise than vote against the Amendment of his hon. Friend opposite (Sir George Jenkinson). He should vote unwillingly, for he was opposed to the clause as it stood, and if not altered he should be prepared to say "No" to it. But if compensation were to be given at all—and after the promises of last year they could not avoid that—then it ought to come out of the surplus funds of the Disestablished Church.

SIR FREDERICK W. HEYGATE felt that the right hon. Gentleman the Prime Minister had placed them in a very painful position by contriving that compensation to the Presbyterian body should be mixed up with compensation to Maynooth. He had always felt that the two questions of religious endowment and academical endowment had no connection with each other. In relation to the question of Trinity College, he maintained that no substantial injustice was done in Ireland by the exclusive character of its endowments, because there existed an endowment for the College of Maynooth, and also for the Presbyterian body; and when the time came for considering the case of Trinity College, he hoped the generous sentiments expressed by the hon. Member for Roscommon (The O'Conor Don) would not be forgotten. If it were possible in a matter of so much difficulty, he should have preferred to adopt the course pointed out by the right hon. Gentleman the Member for Northamptonshire (Mr. Hunt). But no one knew better than that right hon. Gentleman himself that the question could not be put to the Committee in the way he had indicated. It was impossible for them to vote upon the question of whether this compensation was to be taken out of the Church Fund or the Consolidated Fund. For himself he was in favour of endowments. He could not help giving his vote in favour of the proposition of the Government. Hon. Members should remember what was the state of things at the time of the Union, when there was an express understanding that all those rights should be respected, and it was impossible for the House to turn round and utterly ignore this. He felt placed in a position of difficulty; but he thought that if compensation was given to the

Presbyterians it could not be refused to the Roman Catholics. At the same time, he thought that the two questions should not have been mixed up together.

Mr. M'ARTHUR said, he had not yet spoken on this question—first, because he had no wish to travel over old ground, and, secondly, because he thought that votes were better than speeches; but he could not sit silent and hear the statements made by hon. Gentlemen on the other side of the House. He most distinctly repudiated what some of those hon. Gentlemen had said—namely, that Protestant Members on the Ministerial side were betraying the interests of the Protestant cause and lending themselves to the designs of Cardinal Cullen. He had listened to the speech of the right hon. and learned Gentleman the Member for the University of Dublin (Dr. Ball), and he found that the right hon. and learned Gentleman was actually advocating the principle of "levelling up," and suggesting to the House that a certain income should be given to the Roman Catholic clergy, and also an increased endowment to Maynooth. And the right hon. and learned Gentleman went even further than that, for he said the standard of education at Maynooth would be improved if the grant were increased. His hon. Friend the Member for Coleraine (Sir Hervey Bruce), the other night, advocated the payment of the Roman Catholic clergy, and therefore it came with very bad grace from Gentlemen opposite to say those on the Ministerial side were in alliance with Cardinal Cullen. He did not regard this as a question of principle. The principle was surrendered when the grant to Maynooth was made; and if they were dealing with the question for the first time, he should oppose it; but he agreed with the hon. Baronet (Sir Frederick Heygate) that as a nation they were bound in honour to give a fair and equitable compensation to Maynooth College. He advocated this measure in the interest of the Established Church in Ireland, which he believed would be in a better position than it had ever been before. With regard to the question of amount, he considered they were bound to give the compensation on the principle upon which the grant was originally given. When Sir Robert Peel introduced the Maynooth Bill he said—

> "Instead of defining exactly what is the amount to be paid to each Professor, we propose to allot to the Trustees of Maynooth a certain sum to be placed at their discretion for the charges of the establishment in respect of officers and Professors."

On that principle Maynooth was entitled to a fair compensation. They were giving the Church in Ireland, with a population under 700,000, its churches—a life interest to its clergy, and its glebes on most favourable terms. The Presbyterians, numbering about 520,000 were to have £700,000—fourteen years' purchase of the grants to their College, besides some other small amounts. He thought therefore, when they considered that the Roman Catholics numbered more than 4,500,000, they were giving no unfair or unreasonable sum by giving fourteen years' purchase of the grant to Maynooth. He had from the first supported this great measure, not merely in the interest of Ireland, but in the interest of the Irish Church. Hitherto it had been placed in direct antagonism to the great majority of the Irish people. They were now about to take it out of that false position—to strike off the fetters which had so long impeded its progress and repressed its energies—to give it the power of self-government and the exercise of a salutary discipline. He (Mr. M'Arthur) had no fear of the result. He confidently believed that, under its new circumstances, the Irish Church would be more prosperous than ever, and would more effectually promote the interests of Protestantism in Ireland.

Mr. HENLEY: I wish to say a few words to explain why I shall vote as I am about to do. I will not say a word on the speech of the right hon. Gentleman who tells us he is not going to vote upon principle.

Mr. M'ARTHUR explained that there was no question of principle as to the Maynooth Grant involved in the matter, but that it was a question of compensation alone, dealing with existing interests.

Mr. HENLEY: The question we have now to consider is, whether the compensation, or whatever it may be called, ought to be paid to Maynooth out of Church property, or if not from Church property, from other sources? Now I certainly understood at the time this measure was introduced, and the Resolutions were passed on this subject last year, that the Church of Ireland was to be disestablished and disendowed, respect being had to vested personal interests. I also understood that the grant to Maynooth and the *Regium Donum* were to cease, respect being also had to vested personal interests. I understood that to be the general proposition. I also understood most distinctly that the surplus funds of the Church were to be applied to Irish purposes. That was most distinctly stated; and I cannot for one moment understand how it can be an Irish purpose to relieve the tax-payers of the United Kingdom from paying their share of compensation for the vested interests of the *Regium Donum* and Maynooth. That is the simple view that I take of the question raised by my hon. Friend the Member for Wiltshire (Sir George Jenkinson). One word now as to what fell from the Prime Minister. He used a most ingenious argument to show that the question was concluded, because nothing had been said as to the early part of the clause with reference to the *Regium Donum*. But I think we should have been justly exposed to a charge of, what some might term, factious opposition if we had raised this question upon the double issue. It is reasonable and fair that what goes to the *Regium Donum* should go to Maynooth. The amount is anther matter; but I think it would not have been fair, in carrying on the opposition to this Bill, if the question had been raised first upon the *Regium Donum*, and then afterwards upon Maynooth. It is more usual upon a question of principle to raise it at the end of the clause, when it comprises all the points at issue; and I think the hon. Baronet has raised the question fairly, because this one clause comprises both the *Regium Donum* and the Maynooth Grant. Of course, if the Committee adopt the words of the hon. Baronet, when the clause comes to stand part of the Bill, the whole of it will go together. That is my answer to the Prime Minister when he argues that it is unfair to draw a distinction in this matter. The argument was an ingenious one; but the Committee would remark that the right hon. Gentleman did not say a single word why this money should come out of the property of the Church instead of out of the Consolidated Fund. He evades that question altogether, and that is the question before the House.

MR. BRIGHT: Sir, the Motion, or rather the Amendment, of the hon. Baronet the Member for Wiltshire (Sir George Jenkinson) is rather different, I think, from what many Members of the House suppose. The proposition, if it were carried, would say that the compensation for Maynooth should not be taken out of the Church Fund. It does not say from what source it shall be taken. I leave to the House to consider what would be said if such a Resolution could be carried. You would have, I believe, from a large portion of Ireland, and you would have from one end of Great Britain to the other, a protest against taking the compensation out of the Consolidated Fund, and then the result would be either that the House might be forced back to rescind the Amendment—at least to restore the clause—or else to come to the conclusion, which I think few men in this House would wish to see us arrive at, that for the institution of Maynooth College there should be no compensation at all. Therefore, the House should be a little cautious as to the course which it is invited to pursue by the hon. Member for Wiltshire and some other hon. Members who have spoken on that side of the House. Let us suppose for a moment that the Amendment to the question was whether the compensation should come out of the Church Fund or out of the taxes. If it came out of the taxes it would make the surplus so much larger; the House has already determined what sums shall be granted to the Disendowed Church. If hon. Gentleman were to adopt the same principle with regard to the Presbyterians, we should have to pay £800,000 out of the Consolidated Fund, and nearly £400,000 for the Maynooth compensation, and if these two sums were paid out of the Consolidated Fund it would give the increase to the surplus in the hands of the Church Commission. But what was to be done with the surplus in the hands of the Church Commission? It was one of the complaints of hon. Gentlemen opposite that it would give, some of them said, too much to the landlords of Ireland. Others, and those who are the strongest against compensation are the strongest in saying that it would give support to an institution in Ireland which would come entirely into the hands of Roman Catholic ecclesiastics, and therefore, hon. Gentlemen themselves, by using such statements, appeared to him to be inconsistent with the course they were taking to-day You have done this for the Presbyterians — you have already voted for their College compensation out of the Church Funds upon the same principle. The right hon. Gentleman the Member for Oxfordshire (Mr. Henley) is quite wrong in some of the observations which he has made in reference to this clause. We are, at htis moment on Clause 40—["Clause 39"]; and on Clauses 36 and 37, two pages back, we settled the question as regards the compensation to be given to Presbyterians. Surely there is no Member of the House will say at this moment that he was taken in on the question of the Presbyterian vote. I know perfectly well the Members for Wiltshire and Warwickshire will not deny it. They are on that side just now the special champions of Protestantism. They will not deny that they understood perfectly well what the House was doing when the House decided the Presbyterian compensation. And, therefore, the object of this Amendment is to signify the continued hostility of certain Gentlemen in the House—that hostility which has existed for 300 years—with regard to the Catholic religion in Ireland. If this College of Maynooth were not a Catholic College every Member of the House knows that there would not be a whisper of dissent. You are acting consistently, I admit, upon the principle upon which the Established Church was founded, which was one of political and religious hostility to the Roman Catholic religion. There are few hon.Members on this side of the House to whom an appeal to act consistently in this matter would be made in vain. I believe there are but two such Gentleman. I do not say one word with regard to the inconsistency of those Gentlemen. I believe they are as honest in the course they are taking as I am. But I am sure every Member of the House will feel that the principle on which the Government is acting in this clause is consistent with the principle of the Bill, which is that of religious equality in Ireland for the future. If the House were to throw out this clause, on the ground that the persons to whom it applies are of the Catholic Church, they would set their seal on this Maynooth question to the same grievous and hateful policy which for the last three centuries has prevailed in Ireland. We know what has been the fruit of that policy, and we see, now that it has come to an end and when we are about to turn over a new leaf, that every man in Ireland will be conscious hereafter that the Imperial Parliament will judge fairly, and equally, and justly between all the people of the realm, whether they are attached to the Protestant or to the Catholic Church.

MR. DISRAELI: I will endeavour to recall the attention of the Committee to the real point before them, though I must notice the fallacy of the statement of the right hon. Gentleman (Mr. Bright) with respect to Maynooth. He seems quite to forget that it was an Irish Protestant Parliament that founded Maynooth, and that it was a Protestant and Conservative Minister who re-established it on a more extensive basis than that upon which it originally stood. If he does remember these facts, how is he justified in saying that the vote he contemplates we shall give is only animated by hostility to this institution, which was established by a Protestant Parliament, and enlarged by the Conservative party in this country? I am in favour of compensation to the College of Maynooth. Last year the great majority of the House were agreed that if the College was disturbed by the proposition of the right hon. Gentleman at the head of the Government, it should be entitled to compensation. I desire that that compensation should not only be just, but liberal; because in measures of this kind, involving such extensive change, we should not only consider material interests, but the feelings and sentiments of those concerned, and which no mere pounds, shillings, and pence scale of compensation can adequately meet. Whether the question refers to the Protestant Episcopal Church, to those who have enjoyed the *Regium Donum*, or to those interested in the College of Maynooth, we ought to be influenced in making any provision for compensation, not only by feelings of justice, but of liberality. But having said that, I must, at the same time, say that it was understood last year, certainly by the country, that the compensation to Maynooth should not be derived out of the confiscated funds of the Protestant Episcopal Church. When the right hon. Gentleman tells us that if we adopted this proposition there would be general discontent, not only throughout England, but even in Ireland, I say that the feeling of the country has been one of astonishment, that the fund from which this compensation is proposed to be given, should be part of the confiscated property of the Church; because it was thoroughly understood on both sides of the House that, whatever might be the consequences, the surplus revenue of the Disestablished and Disendowed Church should be applied to Irish purposes, not hitherto provided for. And here I must notice a feature in the addresses of the Prime Minister upon this subject, as to the mutual financial relations between England and Ireland. Whenever there is any question as to the financial relations between the two countries, the right hon. Gentleman falls into the habit of going back into the national accounts for a number of years, and then conjuring up a claim against Ireland. ["No, no!"] Yes, most decidedly. The right hon. Gentleman has gone out of his way to estimate the sums Ireland has received from the Consolidated Fund, and concludes by saying that the claims made on the Exchequer of the United Kingdom is one that ought not to be admitted. But that is a most dangerous mode of dealing with the subject. We cannot, in matters of this kind, be too clear and straightforward, and if there was an understanding on the part of Ireland, whether Protestant or Roman Catholic, that all the surplus funds should be applied to Irish purposes that ought to be observed. I am in favour of ample compensation being given to Maynooth, and I wish it to be supplied from the sources from which we understood last year that the existing Government contemplated deriving it. Taking that view of the case, I do not see how we can be open to the charges of the right hon. Gentleman who has just addressed the Committee, because we acknowledge the first claim of Maynooth to compensation, and indicate the source whence it ought to be derived by observing the engagement Parliament entered into with the country. It does therefore appear to me extraordinary that, under such circumstances and on such grounds, such accusations should be made against us as have been made in the expressions of the right hon. Gentleman the President of the Board of Trade. The right hon. Gentleman the Prime Minister, in reference to this vote, made one observation which I admit has considerable point. But its effect is really of a very limited character when fairly considered, and, so far as I am concerned, it has little application. I acknowledge, Sir, there is an apparent inconsistency in the fact of having passed the 36th clause, providing compensation for the recipients of the *Regium Donum*, and now offering opposition to the clause proposing compensation to the College of Maynooth. ["Hear, hear!"] But the hon. Gentleman who cheers me evidently forgets that I had put an Amendment on the Paper to omit Clause 36 altogether; and, consequently, I feel I am not open to any accusation of sinister or inconsistent conduct in this matter. The reason why I did not press my Amendment to a division was this—I told the Committee that the Amendment which I had placed on the Paper had one main object—that object being to obtain, not an adequate, but some endowment for the Protestant Episcopal Church—such a sum as would animate the friends of the Church in Ireland to contribute an amount that would preserve that Church. But after the decisions come to by the Committee on several occasions, and after the right hon. Gentleman at the head of the Government had announced in a distinct manner that it was a part of his policy, from which he could not deviate, that no portion of the property of the Church should be left to it as an endowment, I felt that it was useless to trouble the Committee with endless Amendments on the subject. But my Motion, nevertheless, appeared on the Paper. There was an additional reason why I did not press it. It was intimated to me that there were many hon. Gentlemen who, though advocating the principle which I was contending for, thought that the division upon the point ought to be taken upon a subsequent stage, in which the interests both of the Presbyterian and Roman Catholic Churches would be at issue. So far, then, as I and those hon. and right hon. Gentlemen who concur with me are concerned, I do not think that the reproaches of the right hon. Gentleman opposite have any force. If I were to follow my own inclination, I should say, after the expression of the Committee on my Amendment, I should not desire to ask for the further expression of its opinion on the subject. But as my opinion is challenged on the policy of the question now under consideration, I do not think it is consistent with my duty to be silent. I say, then, that my opinion is unchanged—namely, that the compensation for those who have hitherto enjoyed the *Regium Donum* and the grant for the College of Maynooth should be of a liberal character, and that such compensation should be derived from the Imperial Exchequer. Being asked to give my opinion as to how the principle of compensation to the Presbyterian body of Ireland and to the Roman Catholic College of Maynooth should be settled, and the source from which the compensation should be derived, I take this opportunity of re-asserting that opinion which I have always entertained.

Mr. CHICHESTER FORTESCUE said, that, as the right hon. Gentleman (Mr. Disraeli) had reminded the Committee that the increased and permanent endowment of Maynooth, enacted by Parliament some twenty years ago, was the work of a Conservative statesman and Prime Minister, Sir Robert Peel, he wished to supplement that statement by another, which was that the endowment of Maynooth was carried in the teeth of the Conservative party, and in the teeth of the strenuous opposition of the right hon. Gentleman who had just sat down. But his main object in rising was to challenge the assertion of the right hon. Gentleman that, in the last year, his right hon. Friend at the head of the Government had given the House reason to understand that the compensation to be given to the College of Maynooth was not to come from the property of the Irish Church. He (Mr. C. Fortescue) denied that there was the shadow of a foundation for this assertion. He had not heard one, though hon. Gentlemen opposite had no doubt ransacked the pages of *Hansard* in order to prepare themselves for that discussion. Not a single expression of the right hon. Gentleman the First Lord of the Treasury had been discovered which justified that statement, and he (Mr. C. Fortescue) ventured to say that nothing of the kind had fallen from either the right hon. Gentleman or any of his Colleagues. He held in his hand a report of the expressions used last year by his right hon. Friend at the head of the Government on this very point. On the 2nd of April in last year, the hon. Member for Peterborough (Mr. Whalley) inquired whether, in the event of the Resolutions moved by him being carried, he would include in any Bill which might be introduced by himself, in pursuance of those Resolutions, provisions for the repeal of the Maynooth Grant? And his right hon. Friend replied that any plan, such as he had been endeavouring to lay the basis and foundation of, must include provisions, whether immediate or not, for the entire relief of the Consolidated Fund from all charges, either for the Maynooth Grant or any other purposes of religion in Ireland. Again, on the following day, the 3rd of April, in reply to the hon. Member for Armagh (Mr. Vance) his right hon. Friend said that, by arrangements of some kind introduced into such plan, provisions should be made for relieving the Consolidated Fund from payment for the purposes of religion in Ireland. In the absence of any evidence on the other side, he asked the Committee whether that was the language of a person who had any idea in his mind of providing for these compensations out of the Consolidated Fund? The opinion expressed last year by the Prime Minister was repeated in the Preamble of the present Bill, where it was stated that the property of the Irish Church should be applied for the advantage of the Irish people, after satisfying upon principles of equality, as between the several religious denominations in Ireland, all just and equitable claims.

Sir GEORGE JENKINSON said, he did not think he owed any apology for the Amendment which he offered to the Committee. The speeches that had been made on the subject and the discussion which they had heard showed the vital importance of the question it raised, and the vital issue that awaited it. He asked, why did the right hon. Gentleman at the head of the Government on Tuesday last seek to entrap him (Sir George Jenkinson) when he asked him to give way to the Motion of the hon. Member for Kirkcaldy (Mr. Aytoun)? The President of the Board of Trade challenged him as the champion of the Protestant Church, and seemed to treat that title as a term of obloquy. He (Sir George Jenkinson) accepted the challenge, but he repudiated the sneer it was intended to convey. He did so without any feeling of disrespect to the Roman Catholic Church. Indeed he was not sensible of having used a single word of disrespect towards the Roman Catholics in Ireland during the whole of the debate. He differed, however, from them upon a vital and fundamental point. If they looked to France, Italy, or Spain, they would see the results of Roman Catholic predominance. This country had thrown off the supremacy of that Church at the cost of some of the best blood of the sons of England, and it was in an evil moment now that they were asked by the right hon. Gentleman opposite and his Government to re-establish the supremacy of the Pope. A great deal had been said as to what fund this compensation should come from. He had never said that it should come out of the Consolidated Fund. It was no business of his to suggest the source from which this money was to come. Previous to the last election, a correspondence had taken place between the right hon. Gentleman (Mr. Gladstone) and Mr. W. W. Jubb, a dissenting minister at Birmingham, on this subject. Mr. Jubb thus wrote to the Premier—

> "There are certain electors in this town who are under the impression that you do not intend to take away the Maynooth Grant at the same time that you disestablish the Irish Church. This has led them to support the Tory candidate, though they are Liberal in principle on every other subject."

The right hon. Gentleman, in his reply, said—

> "Not only my own declarations, on every occasion, but the Resolution unanimously passed by the House of Commons, bind me in honour, as I am bound in purpose and conviction, to propose that the Maynooth Grant should be wound up, and should cease with the Church Establishment. Can words go further?"

He (Sir George Jenkinson) considered that statement of the Premier to be very evasive—at all events, in the application of it now—inasmuch as though he left it to be supposed that he desired the extinction of the Maynooth Grant altogether, nevertheless, according to his principle of compensation, Maynooth would ultimately be better endowed than ever.

Mr. COLLINS, who spoke amid interruption, which made him almost inaudible, was understood to say that he would support no proposition which made the compensation to Maynooth payable by the tax-payers of England

Question put, "That the words 'in respect of' stand part of the Clause."

The Committee *divided*:—Ayes 318; Noes 192: Majority 126.

AYES.

Acland, T. D.
Adair, H. E.
Agar-Ellis, hn. L. G. F.
Akroyd, E.
Allen, W. S.
Amcotts, Col. W. C.
Anderson, G.
Anson, hon. A. H. A.
Anstruther, Sir R.
Antrobus, E.
Armitstead, G.
Ayrton, A. S.
Backhouse, E.
Bagwell, J.
Baines, E.
Baker, R. B. W.
Barclay, A. C.
Bass, M. A.
Baxter, W. E.
Bazley, T.
Beaumont, Capt. F.
Beaumont, H. F.
Beaumont, W. B.
Bentall, E. H.
Biddulph, M.
Blake, J. A.
Blennerhassett, Sir R.
Bolckow, H. W. F.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bowring, E. A.
Brady, J.
Brand, right hon. H.
Brand, H. R.
Brassey, T.
Brewer, Dr.
Bright, rt. hon. J.
Bright, J. (Manchester)
Brinckman, Capt.
Brocklehurst, W. C.
Brogden, A.
Brown, A. H.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Bryan, G. L.
Buller, Sir E. M.
Bulwer, rt. hn. Sir H. L.
Burke, Viscount
Bury, Viscount
Buxton, C.
Cadogan, hon. F. W.
Callan, P.
Campbell, H.
Candlish, J.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Carter, Mr. Alderman
Cartwright, W. C.
Castlerosse, Viscount
Cave, T.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chadwick, D.
Childers, rt. hn. H. C. E.
Cholmeley, Capt.
Cholmeley, Sir M.
Clay, J.
Clifton, Sir R. J.
Clive, Col. E.
Cogan, rt. hn. W. H. F.
Colebrooke, Sir T. E.
Coleridge, Sir J. D.
Cowen, J.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crossley, Sir F.
Dalglish, R.
Dalrymple, D.
D'Arcey, M. P.
Davie, Sir H. R. F.
Davies, R.
Davison, J. R.
Dawson, R. P.
Delahunty, J.
De La Poer, E.
Denison, E.
Denman, hon. G.
Dent, J. D.
Devereux, R. J.
Dickinson, S. S.
Digby, K. T.
Dilke, C. W.
Dillwyn, L. L.
Dixon, G.
Dodds, J.
Downing, M'C.
Dowse, R.
Duff, M. E. G.
Duff, R. W.
Edwardes, hon. Col. W.
Edwards, H.
Egerton, Capt. hon. F.
Ellice, E.
Enfield, Viscount
Erskine, Vice-Ad. J. E.
Esmonde, Sir J.
Ewing, H. E. C.
Eykyn, R.
Fagan, Captain
FitzGerald, right hon. Lord O. A.
Fitzmaurice, Lord E.
Fitz-Patrick, rt. hn. J. W.
Fletcher, I.
Fordyce, W. D.
Forster, C.
Forster, rt. hon. W. E.
Fortescue, rt. hon. C. P.
Fothergill, R.
Fowler, W.
French, rt. hon. Col.

Gavin, Major
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Gower, hon. E. F. L.
Gower, Lord R.
Goschen, rt. hon. G. J.
Gourley, E. T.
Graham, W.
Gray, Sir J.
Gregory, W. H.
Greville, Captain
Greville-Nugent, Col.
Grey, rt. hon. Sir G.
Grieve, J. J.
Grosvenor, Capt. R. W.
Grosvenor, Earl
Grove, T. F.
Gurney, rt. hon. R.
Hadfield, G.
Hamilton, E. W. T.
Hamilton, J. G. C.
Hanmer, Sir J.
Harcourt, W. G. G. V. V.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marquess of
Haviland-Burke, E.
Hay, Lord J.
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Heygate, Sir F. W.
Hibbert, J. T.
Hoare, Sir H. A.
Hodgkinson, G.
Holms, J.
Howard, hon. C. W. G.
Howard, J.
Hughes, W. B.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Jardine, R.
Jessel, G.
Johnston, A.
Johnstone, Sir H.
Kavanagh, A. MacM.
King, hon. P. J. L.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Kirk, W.
Knatchbull-Hugessen, E. H.
Layard, rt. hon. A. H.
Lambert, N. G.
Lancaster, J.
Lawrence, J. C.
Lawrence, W.
Lawson, Sir W.
Lea, T.
Leatham, E. A.
Lee, W.
Lefevre, G. J. S.
Lewis, J. D.
Lloyd, Sir T. D.
Locke, J.
Lowe, rt. hon. R.
Lusk, A.
Lyttelton, hon. C. G.
M‘Arthur, W.
M‘Clean, J. R.
M‘Clure, T.

M‘Combie, W.
MacEvoy, E.
Macfie, R. A.
Maguire, J. F.
Mackintosh, E. W.
M‘Lagan, P.
M‘Laren, D.
M‘Mahon, P.
Maitland, Sir A. C. R. G.
Magniac, C.
Marling, S. S.
Martin, P. W.
Matheson, A
Matthews, H.
Miall, E.
Milbank, F. A.
Miller, J.
Milton, Viscount
Mitchell, T. A.
Moncreiff, rt. hon. J.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
Moore, G. H.
Morgan, G. O.
Morley, S.
Morrison, W.
Mundella, A. J.
Muntz, P. H.
Murphy, N. D.
Nicholson, W.
Nicol, J. D.
Norwood, C. M.
O'Brien, Sir P.
O'Conor, D. M.
O'Conor Don, The
O'Donoghue, The
Ogilvy, Sir J.
O'Loghlen, rt. hon. Sir C. M.
Onslow, G.
O'Reilly, M. W.
O'Reilly-Dease, M.
Otway, A. J.
Palmer, J. H.
Parker, C. S.
Parry, L. Jones-
Pease, J. W.
Peel, A. W.
Pelham, Lord
Philips, R. N.
Pim, J.
Platt, J.
Playfair, L.
Plimsoll, S.
Pollard-Urquhart, W.
Portman, hon. W. H. B.
Potter, E.
Potter, T. B.
Power, J. T.
Ramsden, Sir J. W.
Rathbone, W.
Reed, C.
Richard, H.
Robertson, D.
Roden, W. S.
Rothschild, Brn. L. N. de
Rothschild, Brn. M. A. de
Rothschild, N. M. de
Russell, A.
Russell, H.
Rylands, P.
St. Aubyn, J.

St. Lawrence, Viscount
Salomons, Mr. Ald.
Samuda, J. D'A.
Samuelson, B.
Sartoris, E. J.
Scott, Sir W.
Shaw, R.
Shaw, W.
Sheridan, H. B.
Sherlock, D.
Sherriff, A. C.
Simeon, Sir J.
Simon, Mr. Serjeant
Smith, T. E.
Stacpoole, W.
Stanley, hon. W. O.
Stansfeld, rt. hon. J.
Stapleton, J.
Stepney, Colonel
Stevenson, J. C.
Stone, W. H.
Sullivan, rt. hon. E.
Sykes, Colonel W. H.
Synan, E. J.
Talbot, C. R. M.
Taylor, P. A.
Tollemache, hon. F. J.
Torrens, R. R.
Tracy, hon. C. R. D. H.

Trevelyan, G. O.
Vandeleur, Colonel
Verney, Sir H.
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, Capt. hn. J. C. W.
Vivian, H. H.
Walter, J.
Wedderburn, Sir D.
Weguelin, T. M.
Wells, W.
West, H. W.
Westhead, J. P. B.
Whatman, J.
White, hon. Capt. C.
Whitworth, T.
Williams, W.
Williamson, Sir H.
Willyams, E. W. B.
Wingfield, Sir C.
Winterbotham, H. S. P.
Woods, H.
Wyndham, hon. P.
Young, A. W.

TELLERS.
Glyn, G. G.
Adam, W. P.

NOES.

Adderley, rt. hn. C. B.
Amphlett, R. P.
Annesley, hon. Col. H.
Archdall, Capt. M.
Arkwright, A. P.
Arkwright, R.
Assheton, R.
Bagge, Sir W.
Bailey, Sir J. R.
Ball, J. T.
Baring, T.
Barrington, Viscount
Barrow, W. H.
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Bective, Earl of
Bentinck, G. C.
Benyon, R.
Booth, Sir R. G.
Bourke, hon. R.
Bright, R.
Brise, Colonel R.
Broadley, W. H. H.
Brodrick, hon. W.
Bruce, Sir H. H.
Buckley, Sir E.
Burrell, Sir P.
Cameron, D.
Cartwright, F.
Cave, right hon. S.
Charley, W. T.
Child, Sir S.
Clive, Col. hon. G. W.
Clowes, S. W.
Cole, Col. hon. H. A.
Conolly, T.
Corbett, Colonel
Corrance, F. S.

Courtenay, Viscount
Crichton, Viscount
Croft, Sir H. G. D.
Cross, R. A.
Cubitt, G.
Dalrymple, C.
Damer, Capt. Dawson-
De Grey, hon. T.
Denison, C. B.
Dick, F.
Dimsdale, R.
Disraeli, rt. hon. B.
Duncombe, hon. Col.
Du Pre, C. G.
Dyke, W. H.
Eastwick, E. B.
Eaton, H. W.
Egerton, E. C.
Egerton, Sir P. G.
Egerton, hon. W.
Elliot, G.
Ewing, A. O.
Feilden, H. M.
Fellowes, E.
Fielden, J.
Floyer, J.
Foljambe, F. J. S.
Forde, Colonel
Forester, rt. hon. Gen.
Fowler, R. N.
Galway, Viscount
Gallwey, Sir W. P.
Garlies, Lord
Gilpin, Colonel
Goldney, G.
Gooch, Sir D.
Gore, J. R. O.
Gore, W. R. O.
Graves, S. R.
Greaves, E.
Greene, E.

Gregory, G. B.
Guest, A. E.
Hambro, C.
Hamilton, Lord C.
Hamilton, Lord G.
Hamilton, I. T.
Hamilton, Marquess of
Hardy, rt. hon. G.
Hardy, J.
Hardy, J. S.
Hay, Sir J. C. D.
Henley, rt. hon. J. W.
Henniker-Major, hon. J. M.
Herbert, rt. hn. Gen. P.
Hermon, E.
Hervey, Lord A. H. C.
Hesketh, Sir T. G.
Hick, J.
Hoare, P. M.
Holford, R. S.
Holmesdale, Viscount
Holt, J. M.
Hood, Captain hon. A. W. A. N.
Hornby, E. K.
Hunt, right hn. G. W.
Ingram, H. F. M.
Jackson, R. W.
Jones, J.
Kekewich, S. T.
Keown, W.
Knox, hon. Colonel S.
Laird, J.
Langton, W. H. P. G.
Legh, W. J.
Lennox, Lord H. G.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Lindsay, Col. R. L.
Lopes, H. C.
Lopes, Sir M.
Lowther, J.
Lowther, W.
Malcolm, J. W.
Manners, Lord G. J.
Manners, rt. hon. Ld. J.
March, Earl of
Mellor, T. W.
Meyrick, T.
Milles, hon. G. W.
Mills, C. H.
Mitford, W. T.
Morgan, C. O.
Mowbray, rt. hn. J. R.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
Noel, Hon. G. J.
North, Colonel
Northcote, right hon. Sir S. H.
Paget, R. H.
Pakington, rt. hn. Sir J.
Parker, Major W.
Peek, H. W.
Pell, A.
Powell, W.
Raikes, H. C.
Read, C. S.
Ridley, M. W.
Round, J.
Royston, Viscount
Russell, Sir W.
Sandon, Viscount
Saunderson, E.
Shirley, S. E.
Sidebottom, J.
Simonds, W. B.
Smith, A.
Smith, F. C.
Smith, R.
Smith, S. G.
Smith, W. H.
Stanley, Lord
Starkie, J. P. C.
Stronge, Sir J. M.
Sturt, H. G.
Sykes, C.
Talbot, J. G.
Taylor, rt. hon. Col.
Tipping, W.
Tollemache, J.
Turner, C.
Turnor, E.
Vance, J.
Verner, E. W.
Verner, W.
Walker, Major G. G.
Walpole, hon. F.
Walpole, rt. hon. S. H.
Walsh, hon. A.
Waterhouse, S.
Welby, W. E.
Wethered, T. O.
Whalley, G. H.
Wheelhouse, W. S. J.
Whitmore, H.
Williams, C. H.
Williams, F. M.
Wilmot, H.
Winn, R.
Wise, H. C.

TELLERS.
Jenkinson, Sir G. S.
Elphinstone, Sir J.D.H.

MR. GLADSTONE then moved in line 16, after "paid," insert "during the financial year ending on the thirty-first day of March, one thousand eight hundred and sixty-nine."

Agreed to.

MR. SINCLAIR AYTOUN rose to explain his reasons for moving the Amendment of which he had given notice. There were two questions which the Committee ought to carefully consider before consenting to grant the capital sum proposed to be given to the Trustees of the College of Maynooth under this clause as it at present stood. The first was whether the Liberal party had not pledged themselves at the last election not to bestow anything in the shape of an endowment on Maynooth; and the second was whether the arrangement proposed by the Government would have the effect of giving a permanent endowment to that institution. In his opinion everybody who had watched the course of events during last Session and the General Election in the autumn must admit that the Liberal party were pledged not to bestow anything on Maynooth College in the shape of an endowment. The 4th Resolution moved last year was perfectly explicit on this point, and so were the declarations made by the right hon. Gentleman now at the head of the Government, during his canvass in Lancashire, while the speeches delivered at the elections proved that the great bulk of the Liberal Members were pledged not to grant an endowment to any religious community in Ireland. As to the second point he would ask what the right hon. Gentleman said in support of the arrangement proposed by the Bill respecting Maynooth. As yet the right hon. Gentleman had not fully explained himself on this point; but had told the House on former occasions that he would defer his explanation till the proper time—namely, when this clause came on for discussion. He might, however, gather, from certain words pronounced by the right hon. Gentleman on two occasions during the progress of the measure, some idea as to the manner in which he intended to defend the proposal of the Government respecting the College of Maynooth. On the second reading of the Bill, the right hon. Gentleman, in answer to a remark from the right hon. Gentleman the Member for the University of Oxford (Mr. G. Hardy), that under the new arrangements Maynooth would be unduly favoured, said that, looking to the large sums of money that were to be given to the Bishops and others of the Established Church, and looking to the fact that the great majority of the people of Ireland belonged to the Roman Catholic faith, that he did not think it would be easy to persuade the Committee when they came to this clause to believe that Maynooth was unduly favoured in receiving between £300,000 and £400,000. This would have been a very suitable argument if the Government had adopted the policy of levelling up; but nothing could be more clear and indisputable than that, at the last election, a levelling-up policy was repudiated by the Liberal party. The policy adopted by that party was to discontinue State assistance to all the religious persuasions of Ireland and to respect life interests only. When the Motion for going into Committee on this Bill that day six months was moved by the hon. Gentleman the Member for North Warwickshire (Mr. Newdegate) he (Mr. Aytoun) made some remarks upon the Bill, when the Prime Minister said that his (Mr. Aytoun's) figures could not in his opinion be sustained by argument. He would now admit that those figures were not perfectly correct; but he had rather under-stated his case than otherwise. The grant to Maynooth, he then said, might be divided into two portions. The first was a sum of £6,000 per annum for the salaries, commons, allowance, and maintenance of the Professors, and if they took fourteen years' purchase for the commutation of life pensions there was a sum by way of compensation for these Professors of £84,000. The Bill, however, proposed that the sum granted for the students as well as the Professors should be multiplied by fourteen years' purchase, and that the sum of £364,000 should be handed over to the Trustees of the College. The students, however, had no life interests. All that they were entitled to ask was that they should not suffer by the Bill, and that no one should be worse off after it passed than before. All that the Legislature was bound to do for these students was to provide that their education should be completed. When he laid these figures before the House he said that the sum devoted to the students was £20,000. He supposed eight years to be the period of their remaining at the College, and, taking the mean time of those now at the College, and multiplying this sum by four, he estimated the sum of £80,000 as sufficient to complete the education of the students now at the College. He believed that the students only remained seven years at the College, so that he had in this respect rather under-stated his case, and less than £80,000 would provide for them. A sum of upwards of £26,000 was paid out of the Consolidated Fund to the Trustees of Maynooth, but they had been empowered to borrow a sum of £18,700 on the security of the revenues they received from the Consolidated Fund, and the trustees were now paying £1,200 a year as a debt, being the interest of this borrowed money. This sum was to be deducted from the sum paid for the maintenance of the professors and students, which reduced the sum to £25,000 a year. Consequently the figures he stated on a previous occasion were not sufficiently favourable to the position which he endeavoured to support. Another point was that the money was to be handed over to the Trustees of the College of Maynooth unconditionally. This was a most objectionable feature of the clause. The clause relative to the Professors of the Presbyterian College had been deferred with a view to placing them on the same footing of compensation as the College of Maynooth, but in all other cases the Bill commuted the compensation to life payments. The right hon. Gentleman moved at the end of the 39th clause to add the words—"save as respects the personal interests." He inquired the meaning of this Amendment, and was told by the Attorney General for Ireland that it reserved to the Professors the rights they had under the Maynooth Act, but he afterwards added that they had no rights under that Maynooth Act. The reply brought out the fact that the rights of these persons were not secured under the Bill as it at present stood. When the right hon. Gentleman the Member for Buckinghamshire introduced an Amendment of a similar character relative to the Established Church, and proposed that fourteen years' purchase of the incomes of the Bishops, incumbents, &c., should be handed over to the Church Body, the right hon. Gentleman at the head of the Government showed most clearly and conclusively that there were overwhelming reasons against that system of compensation; because, he said, that by handing over the money to the Church Body for the purpose of paying annuities to the incumbents of the present Church Establishment a pressure would be put upon them to commute the life interests, and they would not be in such a secure and independent position as if their life interest had been provided for in the Bill; and further, that to give them the same security as they had at present would amount to a permanent Parliamentary grant. The right hon. Gentleman went on to say, in the first place, that he objected that the interests of individuals might not be sufficiently secured; but he added that it might not be fair to the public that some persons might get too much. Some of them were old men, and fourteen years' purchase was too much. The right. hon. Gentleman's conclusion was that the fair way of compensation for revenues for life was to give revenues for life. But if that argument were good in one case,—and it certainly appeared to be most clear and convincing—its force was overwhelming in the other case also. They ought, therefore, to compensate persons in the Roman Catholic College of Maynooth in exactly the same way in which compensation was given to incumbents in the Established Church and to ministers in the Presbyterian Church, and in the same way, also, in which it was originally proposed to give compensation to Professors of the Presbyterian College of Belfast. He had little more to say. The hon. Member for Roscommon (The O'Conor Don) who, if he mistook not, was one of the Trustees of the College of Maynooth, had endeavoured to justify the course, which the Government proposed to adopt, by referring to the inconvenience which would be entailed upon the students of the College. There was an hon. Member sitting near him, the hon. Member for Brighton (Mr. Fawcett), who had more than once endeavoured to do away with distinctions existing between Protestants and Roman Catholics in Trinity College, Dublin, and he had no doubt that the hon. Member would again bring forward his Motion, and that it would be carried. But those distinctions, he believed, related simply to Fellowships, and Trinity College could not be called a theological College, for young men of all creeds were brought up in it together. Maynooth, on the other hand, according to the hon. Member for Roscommon, was to be put an end to, and the education of the students, he contended, would have to be completed at an expense three times as great as that for which it might have been concluded. The College, however, was not about to come to an end; even if the Motion proposed by the hon. Member for Peterborough (Mr. Whalley), repealing the incorporating clauses, had been adopted, the institution would have remained in the hands of the Trustees by whom it might be carried on. But, as that Motion had been defeated, Maynooth still remained a corporation as secure in its position as any other University in the country. And, therefore, the argument about these students having to receive their education elsewhere, and to seek it at great expense, scattered far and wide over the country, and unable to obtain it from the same Professors, fell to the ground. From what he had stated it was plain, he thought, that the College of Maynooth was unduly favoured. It was said that this was a mere question of detail, a mere matter of figures; but it was possible so to handle the details of a Bill as to change its principle, and his contention was that compensation was here given to such an extent as to constitute an annual endowment. Figures had been placed before him showing that out of the compensation proposed to be given it would be possible to compensate the Professors, to complete the education of the students, and still to retain a sum exceeding £200,000 as a permanent endowment: £26,000 was the amount now paid from the Consolidated Fund, and, taking the amount of compensation proposed in relation to that at £364,000, at the rate of interest at which it had been stated that money was to be borrowed, this would yield an annual amount of £18,000, or in other words, a sum which, with very slight exertion, would enable the College to be maintained in almost undiminished efficiency. The way in which persons holding the views he ventured to advocate with regard to Maynooth were spoken of was really curious. They were always supposed to be exceedingly bigoted. The right hon. Gentleman the President of the Board of Trade was good enough to say that certain Members on his own side of the House who differed from him were "honest men," but, of course, they were very bigoted. [MR. BRIGHT: I did not say bigoted.] No, but that was the fair presumption from the argument. Persons who entertained the view which he was endeavouring to put forward were spoken of as if they were doing something extremely wrong; as if they were well-meaning, but very prejudiced people, whom one could only feel sorry for, and endeavour to look upon in a charitable manner. He entirely repudiated many of the sentiments which were attributed to him. The right hon. Member for North Northamptonshire (Mr. Hunt), said he did not like to hear allusions to what was done in Italy, Spain, and other countries. But there was a wide interval, he maintained, between discussing or imitating what was done in those nations, and bestowing, in this country, an exceptional favour upon one religious body. In one place men were compelled to walk out of the limits of the town before reaching the chapel of their own persuasion: that he did not complain of; but in Portugal a man was banished for he knew not how many years, and that he did complain of. It was not banishment, it was not imitation of any objectionable practices abroad, if we simply refused to give to Roman Catholics a particular sum of money which they had no right to ask for. A favourite argument with some hon. Members was to this effect—"The thing is very small; better pass it over and give it, and we shall hear no more about it." He thought, on the contrary, the time was arriving when they would hear a great deal more of these demands. What had been the conduct of the Roman Catholic clergy in Ireland with regard to education? Everybody knew that they had used their endeavours, and with very considerable success, to put an end to that measure of Sir Robert Peel for the establishment of the Queen's Colleges in Ireland, which we regarded as one of the most beneficial that had been passed for Ireland during a quarter of a century. He admitted that the Roman Catholic clergy had a perfect right to take an interest in politics; but they united and banded themselves together in such a way as to exercise formidable political influence, and were constantly making demands upon the Government, not only upon Irish, but upon English questions, such as the Government found it very difficult to resist. Therefore he urged the Committee to make a stand at once, and to refuse to listen to the argument—the worst and weakest that had ever been made in support of the Government proposal—that by present concession we should be freeing ourselves from future demands. He trusted that the Committee would not be induced, by any consideration of present convenience, to pass the clause in its present shape, but that after due consideration they would adopt the Amendment which he had placed on the Paper.

Amendment proposed,

In line 18, after the word "behalf," to leave out the words "by payment of the capital sum hereinafter mentioned to the trustees of the said College," in order to insert the words "the Commissioners shall, as soon as may be after the passing of this Act, ascertain and declare by order the amount of yearly income of the persons who shall, at the date of the passing of this Act, be the president, vice president, officers, and professors of the College of Maynooth in respect of salaries and other like payments, and also the average yearly value of all advantages and profits enjoyed by them respectively by virtue of their appointments; and from ad after the discontinuance of the payment of the annual sums heretofore paid to the trustees of the College of Maynooth, in pursuance of the fourth section of the said Act of the eighth and ninth years of the reign of Her present Majesty, the Commissioners shall pay to each of such persons as aforesaid yearly, so long as he lives and continues to perform the duties of his office, a sum equal to the amount of such yearly income, and to the average yearly value of such advantages and profits so received and enjoyed by him as aforesaid; and furthermore, the Commissioners shall, as soon as may be after the passing of this Act, ascertain and declare by order the names and number of the persons who shall, at the date of the passing of this Act, be students in the College of Maynooth, and the yearly sum payable to the trustees of the College of Maynooth in respect of each such student, in pursuance of the fifth, sixth, and seventh sections of the said Act of the eighth and ninth years of the reign of Her present Majesty; and from and after the discontinuance of the payment of the annual sums heretofore paid to the said trustees, in pursuance of the last mentioned sections of the said Act, the Commissioners shall pay to the said trustees yearly so long as each such student shall continue, in accordance with the regulations which shall be in force at the date of the passing of this Act, to be a student in the said College, a sum equal to the yearly sum which would have been payable to them in respect of such student, if the last-mentioned Act had not been repealed."—(*Mr. Sinclair Aytoun.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The CHAIRMAN said, the hon. Gentleman was in Order in moving his Amendment; but he ought to explain the difference between the Amendment on the Paper and that which he had really moved.

Mr. SINCLAIR AYTOUN said, he had added to the Amendment printed in the Votes, "A sum equal to the yearly sum which would have been payable to them in respect of such student, if the last-mentioned Act had not been repealed."

MR. PERCY WYNDHAM said, he had been unable to vote for the last Amendment, because it would have tended to increase the ill-gotten gains of the tithe-owners; but the Committee had now reached a point where the principles on which the Bill had hitherto been supported appeared to have been quite abandoned, and we were called upon to proceed on different grounds and with, apparently, different objects in view. As far as the Protestant Church was concerned, the right hon. Gentleman appeared to have imported the Radical principle into ecclesiastical arrangements, a principle with which the Irish people, who were the most religious people in Europe, had not the slightest sympathy. Accordingly, directly the Roman Catholic Church came to be dealt with, to which Church the majority of the Irish people belonged, that principle was abandoned, and a new principle was introduced. As far as concerned the Protestant Church, the Bill was a Bill which took away all Church endowments, which cut away all existing aid, which rendered the Church entirely dependent upon voluntary contributions, which ignored all right of the Church to compensation, but which was careful of individual interests. But when the Roman Catholic Church came to be dealt with a totally opposite principle was adopted, and the Bill became one which, instead of cutting off existing aid, made a precarious aid permanent, and which thrust aside individual interests in favour of those of the Roman Catholic Church as a body. It was only a day or two since the Committee refused to grant any funds for the repair of twelve monumental churches belonging to the Irish Church, and yet it was now proposed to grant funds for the repair of Maynooth College. The Attorney General for Ireland had assured the Committee the other night that if any hitch occurred respecting the property to be enjoyed by the Disestablished Church, it would be removed by subsequent legislation. That was not an agreeable prospect certainly; but it would not surprise anybody if some confusion were to arise in respect of property the title to which arose out of the recent confiscation. The small scruple that that House had shown in dealing with ecclesiastical property did not tell much in favour of the future security of the property of the Disestablished Church if Parliament was to have any control over it. The utmost caution had, however, been observed in placing the property of Maynooth safely out of harm's way, and it would be impossible for Parliament to touch it at any subsequent period. In arguing against the proposal of the right hon. Gentleman the Member for Buckinghamshire to treat the Protestant Church on the same footing as the Roman Catholic Church, the right hon. and learned Gentleman the Attorney General for Ireland expressed a fear that such a course might involve the sacrifice of individual interests. In considering this point, he had looked into the Maynooth Act, and he found that there was nothing in that Act that prevented the Trustees of that College applying a portion of the funds entrusted to them in behalf of the Roman Catholic Church instead of for the support of the College. It might be said that even if such a result were possible it was not probable that it would occur. But if that were the case, why could not the Protestant Church be treated with equal confidence? They had been told over and over again that Maynooth was an educational, and not a religious establishment; but, in truth, both the Church of Ireland and Maynooth College were purely ecclesiastical establishments, the real and only distinction between the Irish Protestant Church and that College was that while the former was an institution for the benefit and instruction of the laity, the latter was an institution for the training of priests. The right hon. Gentleman (Mr. Gladstone) urged as a reason for the course he took with regard to Maynooth College, that when he came to deal with Trinity College he would have to treat it in the same spirit of liberality, but there was no analogy between the case of Trinity College and that of Maynooth. Trinity College was open to every layman; and before the priests took up the unfortunate attitude they had assumed of late years, a great number of the Catholic laity did receive their education in that College, where there was not the slightest interference with their religion. When in legislating they refused to grant to one community what, under the same conditions they granted to another, a proposal such as the one the Government now made in the case of Maynooth became *ipso facto* an act of injustice. He should, therefore, vote with the hon. Member for Kirkcaldy (Mr. Aytoun). With many other Members on the Opposition side of the House, he believed that this Bill would become law; but, if it did not treat the Protestants with the same liberality as it treated the Roman Catholics, or, if it did not treat the Roman Catholics with the same rigour as it treated the Protestants, he believed it would fail to give ultimate satisfaction to any individual in the British Empire capable of forming an unbiassed opinion.

Mr. DOWNING:* Sir, since this Bill was introduced, I have not addressed a single word to the House; as a Catholic Member I considered it, if not a necessary, at least a prudent, course to remain silent and leave the discussion of the great principles of the Bill—disendowment and disestablishment—to the Episcopalian and Nonconformist Members of the House; but those principles having been affirmed, I feel not only at liberty but bound to take part in the discussion raised by the Amendment of the hon. Member for Kirkcaldy (Mr. Sinclair Aytoun). Sir, the Amendment is one that is difficult to comprehend, but so far as it is intelligible the Committee will see that it is entirely inconsistent with the vote of last evening, taken on the Motion of my hon. Friend the Member for Peterborough (Mr. Whalley), the ill-requited champion of Protestantism. That significant majority of 128 decided that the State should recognize Maynooth College as a distinct corporate body—the Motion of the hon. Member being that it should be dissolved. In that division it was somewhat remarkable that the Leader of the Opposition (Mr. Disraeli) went into the same Lobby with that hon. Member, while the hon. and learned Member for the University of Dublin walked out of the House when the division bell rang, and did not vote, much to his credit, and not inconsistent with that sense of justice and honour which has marked his career through life. I cannot avoid the expression of surprise at the course taken by the right hon. Gentleman (Mr. Disraeli) when I remember that but recently that right hon. Gentleman led the country to believe that he was prepared to give a charter to the Catholic University. A very considerable number of the Roman Catholics of this kingdom have for many years been deceived in believing that the right hon. Gentleman and his followers were more likely to act justly towards the general body than the Leaders of the Liberal party. I was not one of the deceived; and I apprehend that, after the discussions that have taken place on the clause now before the Committee, and the offensive and insulting language which has come from so many hon. Members on the other side of the House, few, if any, will long remain under the deception. The Amendment goes to deprive Maynooth of a capital sum, and instead thereof that the Church Commissioners should pay to the president and officers of the College during their lives, and so long as they should continue to perform the duties of their offices sums equal to the amount of their present yearly incomes, and a yearly sum in respect of each student so long as he shall continue in accordance with the regulations of the College. My hon. Friend the Member for Roscommon (The O'Conor Don) has already shown that the Church Commissioners could have no control or power over the officers, and that the machinery contemplated could not work. I assume that the hon. Mover of the Amendment only sought a further opportunity of showing his intolerant feelings towards the Roman Catholic body. I deny that there is any exceptional legislation in the Bill with reference to Maynooth. Identity of procedure was impossible, the nature of the several cases rendered diversity of arrangement inevitable; and this is an answer to those who have asked why we should not compensate each individual Professor and student instead of placing a capital sum in the hands of the Trustees of the College, and it is also an answer to the Amendment. I was utterly amazed at the observation which fell from the last speaker in stating that on the death of the incumbents nothing would be left to the Protestant Church. For what is the fact?—this, that if those who are supposed to take so deep and sincere an interest in the future welfare of their Church desire it, they may, by capitalizing their incomes, realize a gross sum of about £5,000,000, which, if invested, would realize an annual income of £225,000 a year, to which add a sum of £3,500,000 to compensate for other vested interests; and this is the Church which we have been told is about being cut from her ancient and sacred moorings and floated on a tempestuous ocean, without rudder or provisions. The Committee have seen with what anxiety and care all those connected with the Protestant Church have put forward their claims for an increase to the compensation which the Bill contemplated—and I here express my satisfaction that the appeal of a deserving class, the curates, has been favourably considered, and that while, as the Bill originally stood, strict justice was accorded, as it now stands generosity has been conferred. I can appeal to hon. Members on the other side and to Members of the Government whether I did not, before a single Amendment was put on the Paper, state my conviction as a Roman Catholic Member that the line of generosity adopted by the Government in reference to the curates would have my cordial support. And now let me ask what are the feelings with reference to Maynooth? As expressed by hon. Members on the other side, they are those of intolerance, of bigotry, and ingratitude. The hon. Baronet the Member for North Wiltshire (Sir George Jenkinson) and the hon. and learned Member for Salford (Mr. Charley)—distinguished by the fact of his being the only Member of this House who attended the Orange demonstration at Exeter Hall—could not conscientiously grant any aid for the education of priests to teach a false doctrine—that of Popery; language that may have been received with applause some centuries ago—nay, some half-century, when no Roman Catholic could sit in this House to repel unjust accusations. Those hon. Members appear not to have read Irish history, or if they have, with little profit. Are they not aware that for seventy-four years the State has contributed to the education of, not the entire of the Catholic priesthood of Ireland, but above two-thirds of them, the other one-third receiving their education outside the walls of Maynooth. Are they not aware that in 1795 an exclusively Irish Protestant Parliament voted a sum of £8,000 a year for that purpose; that in that Parliament the Irish Protestant Prelates sat, and that there was not a dissentient voice in either House? That Vote is adopted by the United Parliament by increasing the grant to £9,200 in the year 1808, and again, in 1813, the same Parliament made a grant of £700 a year in aid of what is known as the Dunboyne Establishment. In 1845, Sir Robert Peel, whose conduct and opinions we may reasonably hope would influence the opinions of Members of this House on either side, introduced the Bill by which the present grant of £26,360 a year was secured to Maynooth. In introducing that Bill, the right hon. Gentleman said there were three courses open for adoption. Firstly, to continue the then present system without alteration; secondly, to discontinue the grant altogether, and after providing for existing interests to have no connection between Government and Maynooth; and thirdly, to adopt, in a friendly and generous spirit, the institution provided for the education of the Roman Catholic priesthood. Well, that Parliament adopted the third course by the large majority of 147; and yet the intolerance of the Opposition, who value so highly the right of private judgment, consider it in the nineteenth century a violation of principle to provide instruction for the priesthood of the millions of the Irish people. Those pious and singularly gifted individuals are influenced by scruples not felt by George III., by Camden, Pitt, Percival, and Peel. In discussing that Bill, Sir Robert Peel used language so applicable to the very point we are now discussing, that I ask the particular attention of the Committee for a moment. He said—in reference to the second course which he had suggested—

> "If this were a mere pecuniary engagement, from which you could not, without absolute injustice, stand released, you might possibly avoid the annual performance of it, by calculating the value of the annuity, converting it into capital, paying the amount to the Trustees of the College, and notifying to them that on religious grounds you absolved yourselves from all further connection with this institution."—[3 *Hansard*, lxxix, 25.]

Those words were almost prophetic—the time has arrived when you are about to absolve yourselves from all connection with Maynooth; and that great man laid down for you the mode of compensation—namely, to capitalize the annuity of £26,360, and hand it over. To whom? Not to individuals, not to Commissioners, but to the Trustees of the

College. Now let me ask the Committee to consider with what funds we are dealing; funds over which it is admitted by all sides that the State has control, and is placed at their disposal. They are funds and only a portion of funds which originally belonged to Roman Catholics, when no other creed was known in this kingdom. These funds were contributed by the Catholic people, tracts of land were consecrated by their proprietors to religious institutions, centuries before the system of tithes was introduced into Ireland. Of those funds they were plundered, their altars overturned, their Bishops and their priests tortured, incarcerated, banished, or put to death because they would not abandon that faith in which they believed, and in which they were consecrated and ordained to teach and propagate. By inhuman laws instruction was forbidden to the Catholic laity, and yet, in that dark page of Ireland's history, that faith was preserved pure and untainted by the heroic fortitude of its Prelates and its priests. And what are you now discussing for the last two nights? This, whether of £16,000,000 of which the people of Ireland were thus robbed, you will give in aid of the future instruction of their priesthood the paltry sum of £360,000, which, if invested at 5 per cent, would give an annual income of £8,360 less than they are at present receiving from the Consolidated Fund. Then how does the case stand? The Catholics, 78 per cent of the population, will receive £18,000 a year; the Presbyterians, who are 9 per cent of the population, will receive, besides their College and Widows' Fund, £38,500 a year; while the Episcopalians, 11 per cent of the population, will receive—if they do wish—an annual sum of £225,000, irrespective of a sum of £3,500,000:—and this is what hon. Members on the other side call exceptional legislation in favour of Catholics. I will not weary the House in refuting the figures of my hon. Friend the Member for Peterborough, who would give the magnificent sum of £120,000, but I should feel no difficulty in proving that, according to the tables and strict actuarial calculation, Maynooth should receive the sum of £426,000. But Conservative Members are fond of precedents—especially when they are hoary and venerable. The historian, Hallam, has been frequently quoted during these debates, and he was not a historian favourable to the Catholics. He says, the King (Henry VIII.) was reported to have talked of cutting off the heads of refractory Commoners. A single suspicion, a single cloud of wayward humour, was sufficient to send the proudest Peer to the block. Firstly, he seized the revenues of the monasteries (in England) under £200 a year, to the number of 376, the moveables of which alone were reckoned worth £100,000. In 1540, he seized upon the revenues of the larger monasteries, which poured in an instant such a torrent of wealth on the Crown as has not been equalled in any country.

> "This," the historian says, "was in fact not merely to wound the people's strongest impressions of religion, but to deprive the indigent in many places of succour, and the better rank of hospitable reception."

This indeed was a revolution; and how did your early Protestant Reformers treat the rightful owners of all this property? Hallam says historians assert that the monks were turned adrift with a small sum of money, but he states that the superiors received pensions varying from £266 to £6, and in a note he gives the amount thus—The priors of cells generally received £13; a few whose services merited distinction received £20; others £6, £4, or £2. The pensions to nuns averaged £4. He adds—

> "Those were, however, voluntary gifts on the part of the Crown, for the Parliament, which dissolved the monastic foundations, while it took abundant care to preserve any rights of property which private persons might enjoy over the estates thus escheated to the Crown, vouchsafed not a word towards securing the slightest compensation to the dispossessed owners."—[*Constitutional History*, c. 2.]

This is, no doubt, a precedent that you on the Opposition Benches would wish to follow; and if you could and did not give a shilling to Maynooth, the Catholics of Ireland would now, as in the days of persecution, animated by the same spirit and the same faith, raise ample funds to educate their pastors, who, in the words of Sir Robert Peel—

> "Do what you will—pass this measure or refuse it, the Catholic priests will continue to be the spiritual guides and religious instructors of millions of your countrymen."

But the same unbroken majority which has hitherto so triumphantly advanced this Bill through Committee will reject the Amendment now before the House. I rejoice to see the liberal and generous spirit which animates this Parliament.

I congratulate the country at large on the cordial union between English, Scotch, and Irish Liberal representatives; and, as an Irish Roman Catholic Member, I frankly tender to the English and Scotch Members the thanks of the Irish Roman Catholics for the sense of justice and liberality which they have throughout the discussion on this Bill manifested. We are told, that let this Bill be carried, and not only will the Constitution be sapped, but the Throne overturned. The same has been predicted time after time, and yet the Constitution is safe and unimpaired; pass this Bill, and the Throne will be safer, for you will have done much to conciliate the Irish people, to reconcile them to British rule, and to unite with the people of the United Kingdom in feelings of friendship and brotherhood.

MAJOR WALKER said, he felt bound to support the Amendment. In common with a numerous and intelligent portion of his countrymen, he believed that the grant to Maynooth was an error in theory, and had been a failure in practice; and while he would not have interrupted the existing truce, now that it was interrupted and the compact broken, he did not feel bound to support the perpetuation of an arrrangement reluctantly tolerated, and made under very exceptional circumstances, which had now ceased to exist. He looked upon the proposals of the Government for giving large compensation for life interests as constituting a practical endowment of the Roman Catholic College of Maynooth, and he therefore felt bound to vote for the Amendment.

MR. WHALLEY said, nothing could be clearer than that the Amendment carried out the views the Prime Minister entertained when he spoke of "due regard being paid to personal interests." The question of Maynooth or no Maynooth having been decided, the question that remained was what was to be done with the money. The Trustees might dismiss the Professors and the students; and he was told that it was their intention to divest their operations of the obnoxious name of Maynooth, and to establish diocesan Colleges in different parts of the country. Despite the Resolution of last Session, personal interests were ignored, and a grant was to be made to the Trustees of Maynooth College—Bishops of the Church of Rome, who from the time they got possession of this £360,000 would have no check upon them whatever, and would be perfectly at liberty to carry out the policy of Rome. He was animated by a most sincere desire to be reconciled to his Friends on that side of the House, for he had seen nothing during the debate which would encourage him to change his party or his side. Gentlemen opposite had received every encouragement at his hands to take up the Protestant question, but they had shown no disposition to do so. He had borne with perfect equanimity vituperation of all kinds, and had submitted to an assumed superiority on the part of some; but he had lived long enough to see his declarations realized. Six or seven years ago he rose to move for a Select Committee to inquire into the nature and extent of the Fenian organization, and for one hour was not allowed to speak.

LORD CLAUD HAMILTON asked the Chairman whether the hon. Member was discussing the question before the Committee?

THE CHAIRMAN said, he did not see that the hon. Member was out of Order.

MR. WHALLEY said, that what had happened in the past might happen in the future, and reminded the Committee of a memorable manifestation which gave rise to the creation of the word "Sing." The visit of the Prince of Wales had caused some persons in Ireland to invent or rather perpetrate, a song expressing in words precisely those sentiments which had been universally condemned in the Mayor of Cork. Every one remembered the contempt, ridicule, obloquy, and disparagement which he had brought upon himself by his pertinacity upon that occasion; but it was a consolation to him, in the midst of many trials, to know that if the evidence in support of his warning had been attended to at that time, many lives since sacrificed would have been saved. He therefore rose on this occasion to urge the Prime Minister to accept the Amendment of the hon. Member for Kirkcaldy (Mr. Aytoun), even though it might be to him as a *locus pœnitentiæ*—to respect personal iuterests, but not to endow Maynooth in the abstract—Maynooth in its most offensive and perilous form. The President of the Board of Trade, who, by his extraordinary power and influence, was to a certain extent like an inflated balloon, had carried some of the people away with him, and although they could not agree with him, in his conclusions, still they were buoyed up with the hope that the right hon. Gentleman knew better than they, and that it would all come right in the end. But he warned them that the events now daily occurring in Ireland, of which the proceedings of the Mayor of Cork were a sample, were but the outward and visible sign of the inward spirit which animated the Papacy. That spirit was intensified in Ireland and England, and the common sense of the people of England had found in it a justification for every measure, penal or precautionary, taken by our ancestors against Rome. The Prime Minister, when he charged England with injustice towards the Roman Catholics, forgot the provocation Rome had given, and, now that he spoke of compensation, he charged him to remember that to do other than compensate personal interests would be in direct violation of the principle of "levelling down."

Mr. GLADSTONE: I am very sorry if I have offended my hon. Friend by references to former history in connection with this Bill; but the reason it is absolutely necessary to make these references from time to time will at once be observed by my hon. Friend when I point out to him that, though a very large portion of the Members of this House have admitted in terms more or less general, and some of them in terms, quite satisfactory, that we are to proceed upon principles of religious equality, yet there are certain others—and we have had specimens to-night, especially one from a Gentleman not now in his place —who declared downright that we are not to proceed upon principles of equality, and that, under no circumstances, is anything to be done on behalf of what is called "the Popish religion." Invidious names even have been used for the purpose of inflaming ancient prejudices, and when this is the case it is absolutely necessary from time to time to go back upon previous history and to entreat that at length these evil traditions may be cast aside, and that we may deal with the country on principles which become a Legislature which professes justice and freedom, and which, if it boasts of its prevailing Protestantism, boasts of it most of all for this, that the Protestant Members of this House are accustomed especially to associate Protestantism with freedom and justice. I will now endeavour to point out to the Committee the policy which we have formally pursued and the measures we have taken, in order that we may well comprehend the nature of the step we are invited to take by my hon. Friend the Member for Kirkcaldy. And I cannot too soon announce that I will meet face to face, and foot to foot, the proposition of my hon. Friend, and will entirely deny on our part—and, I think, will make good my denial—that this is to be called an endowment or a re-endowment of Maynooth in any sense, except in that sense in which the conditions we have given to the Presbyterians and the Established Church are a re-endowment on an infinitely larger scale than is proposed for Maynooth. Now, our system of dealing with regard to Ireland down to this moment has been this—We have not stood in a manner too straitlaced upon a principle. Every religion has had a share of what we consider to be public or national money. But we have been very notable in the proportions in which we have dealt it out. The Protestantism of the Established Church of Ireland has been supported at the rate of £1 per head; the Protestantism of the Presbyterians has been supported at the rate of 1*s*. 10*d*. per head; and the Roman Catholic religion has been supported by the special favour and bounty of the State—for I find it so described by the opponents of the Maynooth Grant, as if it were a grant of unexampled munificence—at the rate of about 1½*d*. per head. That is a fair exhibition of that sort of admixture of high spirit with pecuniary liberality which has thus far characterized the policy of this House. Well, Sir, intending to put an end by this Bill to this state of things, we have proceeded thus far. We have voted to the Established Church and to its members, in the shape partly of life interests, partly of private endowments, partly of property in kind—and I speak solely of the Established Church as a body—to that Church we have voted in money and money's worth property which one would probably not be far wrong in estimating at £9,000,000. We have voted to the Presbyterians everything that the Government were asked for on their behalf. We may be said to have voted for them about £750,000, or between 700,000 and £800,000; and we now come to vote a sum for Maynooth of £365,000, together with the remission of a debt of

£20,000—a debt that was incurred for the purpose of maintaining buildings upon a scale that will, I apprehend, be totally needless after the disestablishment. Thus, if you come to divide the sum of between £300,000 or £400,000, and the sums voted for the Presbyterians and the Established Church rateably per head among the different religious communions, you will arrive at proportions not very different from those rather notable proportions which I have stated in the shape of figures. However, these Votes for the Presbyterians and for the Established Church have been given, and given without invidious opposition; but now that we come to the case of the Roman Catholics a vehement opposition is offered. The privilege of incorporation given to the Church under the Bill was denied to the Roman Catholics by a large minority. The appropriation of the funds for compensation from the Church property of Ireland, which had been voted to the Presbyterians of all communions and all creeds without a single word of objection from any hon. Gentleman—whatever his profession of opinions in this House—is also refused by a considerable minority, if they could sway the judgment of the House, in the case of the Roman Catholics; and though it was refused by some with the declaration that they were prepared to support a grant from the Consolidated Fund, it was refused by others with the plain and open avowal that they declined to be bound to vote anything from the Consolidated Fund. And now, after having got rid of these two great questions, when we come to the case of the Maynooth Grant we are challenged by my hon. Friend the Member for Kirkcaldy, first, upon the question of form, and, secondly, upon the question of amount. I myself own it is very painful to me, reviewing the circumstances that I have stated, that we should be compelled thus to "chaffer" about pounds, shillings, and pence in the case of a sum of this character. I cannot enter upon the discussion without a protest. It seems to me that it would be far more creditable to the dignity and character of this Assembly, and would be more likely to promote conciliation in Ireland, if the people of Ireland saw that there was a disposition on our parts generally, instead of taking every opportunity to introduce causes for vexatious controversy, to extend to them the same large-handed liberality with which I have shown we have dealt with the other cases in this Bill. ["Oh, oh!"] I am not surprised at the gestures of the hon. Member for Whitehaven (Mr. Bentinck). The House knows, and the world knows, that the Established Church has had in this matter almost a monopoly of complaint. The Presbyterians, satisfied or dissatisfied, have stated their case with remarkable temper and moderation. On the part of the Established Church there has been one continued strain of deplorable lamentation, and nothing but charges and accusations against the majority of this House for the unequal measure that has been dealt to them. Well, we shall endeavour to see what ground there is for these imputations. In the meantime I must try to lay particularly before the Committee those grounds which I am quite satisfied will prove the justice and moderation of the proposal that we make, and will induce the Committee to give to that proposal its support. It is said that we have dealt exceptionally with the Roman Catholic body. I venture respectfully to deny that proposition. We have dealt with the Roman Catholic body in this proposal precisely upon the same principle as we have dealt with every interest of an analogous character. When we approached this question we found that we had to meet two classes of demands; the one by far the most extensive in its character was that class of demands which related to life interests alone. In the case of these life interests our course was clear. We were compelled to deal in the first instance with the individuals. The hon. Member for Cumberland (Mr. J. Lowther) says—"Why did not you deal with the Church Body in respect of the incumbents as you deal with the trustees of Maynooth in respect of the Professors and students?" I have seen so much of the intelligence of the hon. Member in the course of the various discussions in this House that I profess myself surprised at the question, and I am quite sure he will admit that he has overlooked the cardinal and vital fact which it was our duty at once to keep in view all along. I am not speaking now of the Presbyterians, but of that great class with which we had to do — namely, the Bishops, dignitaries, and incumbents of the Established

Church. Every one of them possessed a freehold, and had an absolute right to demand of us to be treated as a freeholder. And that was the reason we were compelled to deal with them as individuals, and not to look, in the first instance, at any representative body of the Church. In the same manner, with respect to the Presbyterian clergy, inasmuch as each of these was a State annuitant, the natural course for us to take was to deal with them as State annuitants in the first instance; but when we came to the College of Maynooth, and various other classes of minor interests, we not only were not under the same obligation to deal with individuals, but we found it impossible to do so. How were we to deal with individuals in the case of the Widows' Fund? Why, in the case of the Widows' Fund under the arrangements of the Bill—arrangements which yourselves have voted without one word of objection—many widows will come in and reap the advantage of our measures who are not now upon the Fund, and have no interest in the Fund whatever. My hon. Friend endeavours to persuade himself that he is dealing equally with all parties. Now, I do not for a moment doubt his sincerity; but I greatly demur to the correctness of his assumption. Why did he not provide that no widows should derive any benefit from a grant out of the Widows' Fund, except those who are now upon it? Why did he not provide that no Synod clerk should receive any benefit except those who now enjoy that office? Why did he not provide with regard to the Presbyterian College that nobody should take any benefit in the general expenses except those who are now in the College? I know what my hon. Friend has said. He has taken a very singular course, and has shown how deeply versed he is in the politics of the world. The hon. Member for Mid-Lincolnshire (Mr. Chaplin) made a remark the other night as to a long political career rendering men astute, and he supposed such men possessed the faculty of adapting means to an end in a remarkable manner. Well, my hon. Friend the Member for Kirkcaldy has proposed to put certain provisions about the Presbyterians out of the Bill, but he says—"I will take a division on Maynooth, and if I gain it, I will then move the rejection of the provisions relating to the Presbyterians." But when a principle was at issue, why did he not take the sense of the Committee? The hon. Gentleman knows perfectly well that he will never get these provisions out of the Bill. I submit that, in every instance where it was impossible for us to get at the life interests, we have invariably proceeded in the same manner, and we have applied the same rule to the two instances before us of educational establishments. It has been said that the sum we propose to give to Maynooth is an endowment. I maintain, on the contrary, that it is no endowment to Maynooth. It is a transition payment given to Maynooth, like the payments we give to others, to enable it to meet the circumstances of a great transition; but it is no endowment in any other sense than the other payments proposed to be made are endowments, if you choose to apply that term to them. There are two questions to be considered—one as to the amount of the payment, and the other as to its form. As regards the form of payment, I have already said that Parliament has no relations whatever with the Professors, students, officers, or any other individuals connected with Maynooth. When Sir Robert Peel contemplated the alternative of winding up the Maynooth Grant, he supposed the only possible form of doing so would be by making a payment to the Trustees. My hon. Friend the Member for Peterborough (Mr. Whalley) says the Trustees will be wholly uncontrolled in this matter; but can he find a single lawyer in the country who will support him in this opinion? I venture to say he cannot. Every trust which now attaches to the Trustees of Maynooth, and is capable of being enforced in a court of equity, will attach to them in the disposal of this money. It will be impossible for them to realize any of the visions which possess the mind of my hon. Friend, and they will be still bound to carry out the purposes for which the original grant was made. If we have not inserted in the Bill a set of precise words stating this circumstance, it is because they have got their Charter and their instructions and limiting laws, and rules are in the Act of Parliament under which they now exist. So much for the form; and I think I have made it clear that the trustees are the persons with whom it is natural and regular for us to deal. I now wish to call attention briefly to the case of the educational establishments, and, undoubtedly, there are reasons which, it appears to me, ought to lead us to deal, in the case of a central establishment for education, with even somewhat greater liberality than we do in the case of mere and bare life interests. This establishment has been, you may say, created by State support. It is extremely difficult to carry over such an institution to the voluntary system, and the conditions ought to be made easy. The difficulty of making the transition is much greater than in the case of local congregational establishments. In the case of the local congregation, the moment a pastor dies the congregation feel their want, and have a motive for its immediate supply. But the failure, decay, weakness, and disorganization do not make themselves felt for a considerable time in an establishment which rears the pastors. This is not a reason why you should undertake the permanent maintenance of such an establishment; but it is a reason why you should deal somewhat liberally in the organization of volunteer resources. Take the case of the Free Church in Scotland—that magnificent example to which we all look when we want to learn what human energy and conscientious convictions can do. The Free Church first organized its congregations and local schools, and afterwards its Colleges. Then, what has our experience in England been with regard to State aid for primary education? You will find you can maintain the primary schools of the country by undertaking three-tenths of the expense. The total charge for these schools is £1,314,000, and you can keep these going in an efficient state under public inspection, by public grants, of £414,000, or about 30 per cent of the whole. But now let us look at those essential and vitally necessary institutions in which the teachers required for these primary schools are reared. Do we get off, in the case of a training College, with 30 per cent? No; instead of 30 we have to pay 65 per cent of the expense of maintaining these training Colleges. The total charge is £83, 000; of which £24,000 is supplied from voluntary sources, and the remainder contributed by the State. The House will observe the limits within which I use this argument. I say, we should have some consideration with respect to the precise measures of time and circumstance in effecting the great changes which all these institutions will have to make. But there is another reason which has, I think, been entirely overlooked by my hon. Friend the Member for Kirkcaldy. Until to-night, as he is aware, his Motion was maimed in a vital member. It ended with half a sentence instead of a whole one; but on the portion which was omitted, and which was not supplied in my hon. Friend's speech, really depended the whole character of the Motion. My hon. Friend deals in the Motion with the teachers and the pupils, and I wish to point out the peculiar difficulties we have to encounter in dealing with an educational institution. My hon. Friend says that the Commissioners should pay each Professor a certain amount as long as he lives or continues to perform the duties of his office. But my hon. Friend has completely overlooked the vital distinction between the duties of a teacher in a College and those of an incumbent of a parish. Each incumbent in his parish, with his church and his congregation, forms an organic whole; and if there are 100 incumbents in a diocese, and ninety-nine of them die, still the one surviving incumbent can continue to perform the duties of his office. But how does this apply to the case of a College? In the case of a College you are contemplating a complicated machinery of many springs and many wheels, which so depend on one another that the failure of one will result in the confusion and anarchy of the whole. These young men are carried through a course of classes presided over by teachers who are no doubt competent to instruct them in the special branches they undertake, but not competent to instruct them in other branches. Death, which strikes with equal hand the huts of the poor and the proud palaces of the great, will strike with unequal hand the Professors of Maynooth, and will pick out of their ranks here and there a Professor of this or that science, and Death will do this without the smallest regard to the effect of his operations on the order and discipline of the College. The students who had attended the College the first year when they came back for the second would find that the Professor who was to have taken charge of them in the second year had died. But the Professor of the third year was alive, ready to go on with a new set of subjects, and, according to the benevolent intentions of my hon. Friend, this Professor will be absolutely stranded and unable, in the words of this Amendment, to continue to perform the duties of his office for want of students. My hon. Friend has brought forward the Motion under a complete misapprehension of the case of educational establishments. When the subject is closely inspected, it will be found that there is no equitable or rational way of dealing with an educational institution, except by a lump sum fairly calculated—the managers and superintendents of the institution being left free to apply the money as they best can, subject to the obligations of the law in respect to the purposes for which the institution was founded. No doubt the case of Maynooth was the same as all other Colleges which are sufficient for their work, and within these Colleges there is a list of youths in order of seniority waiting for admission. These youths are persons of a class that it would be cruel to trifle with. The parents have made their applications to the authorities of the College, and they have an approximate title to enter, founded upon an Act of Parliament of which they had no reason to anticipate a repeal. They are the sons of small farmers and tradesmen in Ireland. Will you undertake to say that they have not the same title to the consideration of this House as Professors and assistant Professors, every one of whose titles we have recognized and without a word of objection? So much for the general considerations applicable to this case. Now, for the question of amount. I confess that I do not clearly understand the total of figures at which my hon. Friend has arrived. I do not refer to that point with the view of casting any blame upon my hon. Friend, because, if his figures were not clear, it was possibly because he was unable to make them so. He mentioned two sums of £80,000 each, but afterwards said that was too much. My hon. Friend the Member for Peterborough said that £140,000 would satisfy these personal interests. I have stated fairly to the Committee that, in our opinion, educational establishments ought to be dealt with on the same general principles, as nearly as the nature of the case admits, but with a leaning to tenderness in the application of those principles, on account of the difficulties inherent in the nature of the case. Now, as to the amount, I will undertake to show that my hon. Friends are entirely wrong; that they wholly misconceive the nature of the figures with which they are dealing; and that, if they were to procure the adoption of their principle, the sum they would save would be a paltry and miserable sum of which they had no conception. My hon. Friend the Member for Kirkcaldy has proposed a Motion by which I have not the least doubt he intends to provide for personal interests. I beg to tell him that his Motion does not provide for personal interests—giving the narrowest construction he likes to to that term. In the first part, where he does provide for them, he has mistaken their amount; and, in the second part, he does not provide for them at all. The first part refers to teachers and officers, and he says that £84,000 would satisfy their claims. Now, I am sure that my hon. Friend is perfectly sincere and ingenuous in dealing with the details of the case, and I am sorry to press these details upon the Committee; but, unfortunately, this is a question which can only be discussed in detail. My hon. Friend recognizes the principle that teachers and officers are to receive—first of all their salaries, and secondly the value of their profits and advantages. That is the right principle; and how does he apply it? By giving them fourteen years' purchase of £6,000 a year. Now, £6,000 a year does not even equal the amount of their salaries. £6,000 is allotted by the Act of Parliament as a *minimum* for their salaries, but it does not equal their salaries; and of their advantages and profits this valuation takes no account at all. There is no difficulty in explaining how the matter stands. The salaries paid to Maynooth amount to £6,540, and fourteen years' purchase will bring them in round numbers, to £92,000. That is the case of the salaries. But the profits and emoluments and advantages are not far short of as much again. And here I wish to state in the most distinct and explicit manner to the Committee, that which has been entirely overlooked by my hon. Friend and by the critics of this Bill, but which it is quite vital to take in view and keep in view if you mean to arrive at a just conclusion. It is this—

the immense economy of College life. I speak of that which is known to everyone who has ever lived in any College of our own Universities. ["Oh!"] I am not now speaking of those who have lived there as undergraduates, but of those who have lived there as members of the corporation. They knew perfectly well that if you go down to a College dinner at Oxford now, you will get as good a dinner in the College hall there, costing the College, perhaps, 3*s.* or 5*s.*, as you will get in a London hotel for 20*s.*; or as you would be able to provide in your own rooms—I will not say for 20*s.*, but for a very much larger sum than it will cost the College to provide. There is an immense economy in combination as to food, lodging, lighting, attendance, and everything which makes up the cost of life; and the sum which either the teacher or the student costs to Maynooth College is not the sum at which you must compensate him if you proceed on the assumption, and contemplate as the end of your operation, that the College machinery is no longer to be kept at work. For these reasons it is impossible to adopt the proposition of my hon. Friend. I have here, from the highest authority, from a gentlemen respected alike by persons of all religious persuasions—Dr. Russell, the President of Maynooth—his computation, sent to me on his responsibility, of the value of these profits and advantages enjoyed by the Professors. The value of these is £4,500, showing at fourteen years' purchase a total of £63,000. Adding £63,000 to £92,000, instead of paying, as my hon. Friend too sanguinely expected, the sum of £84,000 to compensate for the personal interests of Professors, the demand made in respect of President, Professors, and officers of the College will not be less than £155,000. That is the beginning. Now I come to the second part of the Motion, and there my hon. Friend entirely forgets the equitable principle with which he sets out; for all that he says is that the annual sums provided by the Act shall be paid to the trustees in respect of each of the students in the College. But these annual sums are not the only benefits enjoyed. For example, the sum paid for the maintenance of a pupil does not include all the charges for lodging, lighting, attendance, and so forth, which he shares in the establishment of the College. I will endeavour to give my hon. Friend this part of the case. What I find is that there are, first of all, the payments stipulated to be made in the Schedule of the Act on account of certain classes of students; on account of Dunboyne students, £9,000; and on account of 190 students now receiving £20 a year, £19,000. There are several other payments of the same description, amounting together, as nearly as possible, to £50,000. That sum, added to the sum I mentioned before, makes £204,000; but it is entirely irrespective of the maintenance of the students, for which there is a separate provision in the Act of Parliament. Now, I have got the view placed by the authorities of Maynooth upon the provision for maintenance under the Act of Parliament, and their estimate of the sum at which the students might gain similar advantages—other than those of teaching—if they had to pay for them individually. This estimate is placed by the authorities of Maynooth as high as £75 a year for each student. ["Oh!"] That is their estimate, and perhaps the hon. and gallant Colonel who cries "Oh!" may be a better judge than they are. I do not wish to make any claim for them which anyone may think extravagant, even though I think that considerable weight is due to the representations of such persons. The total would amount to £187,000; and personal interests so estimated would come to £25,000 more than the grant now proposed by the Government. But suppose that, instead of £75 per head, we take £40. I do not think that that would be an extravagant allowance, especially when the hon. and gallant Colonel and others, recollect that we must all put off the ideas which we derive from our public schools, where we used to spend only seven or eight months in the year, whereas the vacation at Maynooth is only two months, and in the case of those students, therefore, residence and maintenance for ten months must be provided for. Now, taking £40 as the expense of each student, and giving the term of five years' purchase for the average—including the students of eleven years as well as the students of eight years—that will give you a sum of £100,000; and in this way, dealing with personal interests alone, in the terms, not of the Motion, but of the speech of my hon. Friend, and upon the strictest definition of those interests, you would not get off under a sum exceeding £300,000. The whole question at issue, therefore, is as to a sum of £40,000 or £50,000, for the sake of which it is that the Committee is doomed from day to day, it appears, to spend its time in this discussion. So much for the question of amount, and I give that opinion as a responsible opinion. I have shown my hon. Friend that his computations are erroneous and that his arithmetic is bad. If he tells me he anticipates the continuance of the College of Maynooth, I answer him by saying that he has no right to do so, for his proposition is framed on a principle which tends to discourage its continuance. The next point to which I would refer is the charge of inequality which has been brought against us as to our mode of dealing with this question. It is said that, after having dealt stingily with the Presbyterians and cruelly with the Church, we are displaying an exceptional and exorbitant liberality so far as the Roman Catholic body is concerned. Is it not, let me ask, the fact that the Presbyterians have got a sum of £15,000 over and above that to which they are entitled in the shape of compensation? And what is the meaning of that vote which my hon. Friend the Member for Kirkcaldy has given us notice of his intention to omit? Now, setting aside altogether the £700,000, or whatever sum it may be thought the Presbyterian body will receive in respect of the *Regium Donum*, we are going to give the Presbyterian body, rateably per head, just as much as we are giving to the Roman Catholic body, although the claim with respect to the educational institution is the only claim which the Roman Catholics are in a condition to make, or are disposed to make. The annual sum voted to the Presbyterians is £2,050, which, at fourteen years' purchase, is £28,700, and £15,000 in hard cash added gives £43,700. The Presbyterians are to the Roman Catholics in Ireland as one to nine, so that £384,430 is the multiple by nine of the sum we are going to give to the Presbyterians. I ask what ground is there for the charge of exceptional liberality to the Roman Catholics, when it is clear that to that body, which has no other claim except in respect of its educational institutions, we are going to give no more, man for man, than we are going to give to the Presbyterians, who receive £700,000 for their ministers. I hope, therefore, the Committee will be of opinion that no good reasons have been adduced why they should refuse us their support on the ground that we propose to deal with the Roman Catholics with exceptional liberality. I now come to the Church, and when speaking of it we have one uniform sustained groan and lamentation from those who think they represent the interests of the Church, and who imagine that they can find nothing but harshness and inhuman cruelty in the mode in which the provisions relating to it are devised. We are told that we are going to re-endow Maynooth, while in the case of the Church we propose to do nothing of the kind. My hon. Friend the Member for Kirkcaldy says that in the case of the Church the clergymen will enjoy their annuities during their lives, and that when they die there will be nothing remaining. But is this so? My hon. Friend can not be aware that the Bill contains clauses, not only providing, but facilitating commutations by clergymen with the Church Body. The Church Body will have put into its hands the power of bargaining with every clergyman and every Bishop in Ireland, and tying every clergyman, Bishop, and curate in that country down in a state almost of ecclesiastical serfage—bond slaves almost to the ground. What does this mean? That the Church Body will have the power of securing for its own purposes a considerable share of the compensation money awarded to the Bishops; and suppose, instead of putting this power of arrangement into the hands of the Church Body we had reserved it in the hands of the State, and left the State to negotiate the commutation and keep the surplus, £1,000,000 or perhaps £2,000,000 would be made by the State out of these commutations. If some of those who strongly opposed Church establishments had viewed this arrangement in the rigid and narrow spirit applied to it from quarters where they had least reason to expect it, and had said—"Why not reserve to the State the difference between the compensation money and the price which the clergyman will take in order to escape?" we might have been rather pressed for an answer. The only answer we could have given would have been to appeal to the liberal feeling of the House, and to exhort and entreat the majority, which is sometimes called a tyrant majority, to adjust the provisions so as to spare all unnecessary shock and convulsion to the Church Body. But this money, which might have been reserved for public purposes, has been wisely and equitably left to be harvested and stored by the Church Body, regardless of the imputations, which have never been made from this side of the House, that we were endowing or re-endowing the Roman Catholics, and doing nothing for the Irish Church. I had hardly expected that all those representatives connected especially with the interests of the Church, who have received these equitable provisions in silence and without acknowledgment, would have been so ready to turn round on the recipients of the moderate sum proposed for Maynooth, and to propose that we should construct our clauses in regard to the Roman Catholics on principles totally different and more harsh than those applied to other religious bodies. I will only say one word more. The right hon. Gentleman seems to forget that we stand in the face of the nation, and that I am anxious to prove to that nation that we are disposed to deal justly with it. The many hours that have been spent in this discussion cannot all go without imposing a duty on us of stating fully and clearly the reasons and conditions of the measure we propose. I have only one word more, and that is with reference to Trinity College. What I have said is no revelation, but a matter of course. Everyone must see that if this Bill passes a great change in Trinity College necessarily depends on it; and all who are specially connected with the interests of the Church of Ireland will do, as the right hon. and learned Member for the University of Dublin (Dr. Ball) has already done, plead for the retention of some portion of the wealth of Trinity College, however moderate, as a boon to enable that body still to maintain some funds applicable for the special purpose of training the members, and especially the ministers of what is at present the Established Church. No one doubts that such a claim will be made, and I cannot help using a voice of warning—warning seems an authoritative word—I will say, of respectful admonition, that we should take care what principles we lay down applicable to the case of Trinity College, when possibly, some twelve months hence, we will have to deal with it. When we do come to deal with that case we will be compelled to take into view the very same class and order of circumstances and conditions which we now deal with. It is in vain to say that Trinity College admits laymen, while Maynooth does not. That is a point of difference; but the essential question is that the Church requires some institution adapted, according to its own laws and ideas, to the training and rearing of its ministry. Trinity College will say what Maynooth is entitled to say—"Give us something—whether a permanent endowment or not is another matter—but give us some equitable sum to enable us to carry on this special work which we have hitherto had in hand. Do not compel us to abandon it, and thereby to leave our Church maimed in one of its most essential and vital members." Well, Sir, I do not like to put myself in the way of turning a deaf ear to such an appeal; but if we are to deal on the principle of how many years you have held your Fellowships and refuse anything but that bare hard measure, I am afraid the tone of complaint arises with little reason from the opposite side of the House. All this will arise with more reason when the educational part of this measure, as far as the Establishment is concerned, comes to be discussed. I will sit down, thanking the Committee for having heard me with such patience. It is a matter not less for the honour of the Government than for the country, that we should prove we have adopted no exceptional principle in this case. We have not extended any more liberality to the Roman Catholics than we have to the Protestant Presbyterians. We would therefore ask the Committee to affirm this clause, add another stone to the fabric, and sustain by a majority the judgment the Government has come to.

Sir STAFFORD NORTHCOTE: It is not my intention to enter in detail upon the question raised by the hon. Member for Kirkcaldy as to the compensation to be made to the College of Maynooth. That is not a matter with which I am desirous of dealing in anything like an ungenerous spirit. I have always felt that the grant made by the State for the support of Maynooth College was a wise grant under the circumstances in which it was originally proposed in the Irish Parliament, and subsequently increased by Sir Robert Peel; but I was never able to look at it in the light in which the Prime Minister so much likes to put it—as a buttress to the Established Church. I have always thought the Maynooth Grant was made on its own merits, and that it was defensible on its own merits for the legitimate and statesmanlike purpose of enabling the clergy of the great majority of the Irish people to obtain an education for their priesthood in their own country, and on that ground it is quite justifiable. That arrangement having been made, I should be the last to dispute that there should be fairness and liberality in the mode in which it is worked out. I rise now chiefly to take notice of the tone in which the Prime Minister speaks of the complaints, the groans, and deplorable lamentations which, as he says, have proceeded from the members and representatives of the Established Church; and also to direct attention to the mode in which he contrasts those complaints with the language used by Presbyterians and Roman Catholics. What is the position in which we stand? The Established Church for centuries has been in possession of property to which it has a good legal title, and you propose to strip it of the whole of that property, and give back to it a very small fraction. You talk of the groans and lamentations of the Established Church, as if it is in the same position as the Presbyterian body, whose annual grant, always precarious, is now to be put an end to; or as the Roman Catholics, who for only a few years, comparatively, have received a grant out of the Consolidated Fund. I say that we do not stand in the same position, and when you talk of the terms we are to receive and of the large-handed liberality the Church is to be dealt with, I say I cannot recognize that liberality in your leaving us a small portion of our own property. In the last Session, when the Resolutions for disestablishing and disendowing the Irish Church were adopted, it was suggested by some Members, and the suggestion was accepted by the proposers of the Resolutions, that at the same time the grants made by the State to other religious bodies in Ireland should be put an end to; and the 4th Resolution, which is one of the foundations of this Bill, declared that those grants should be withdrawn, "due regard being had to all personal interests." We never heard then, as we have heard now, for the first time, that as respects Maynooth, not only regard is to be had to the personal interests of those who receive the money, but to the circumstances connected with the great transition which the clergy have to meet. I do not mean to say that those circumstances of transition ought not to be considered in dealing with a great institution in this way, but that is not in the bargain which was made last year. The Government were going beyond that bargain, which was the condition and understanding on which this Parliament was elected. The constituencies had never been appealed to on this question of granting money to Maynooth to facilitate the transition to which the College of Maynooth was about to pass. The appeal to the country had been made on grounds of individual justice, which Englishmen were never in the habit of refusing. Now, the hon. Member for Kirkcaldy says—"Let us do in the Bill that which you told the country you would do;" and the words proposed by the hon. Member will effect that object, while the words in the Bill of the Government will effect something more. The amount is of no importance, but the question is whether, as a matter of principle, we ought to go beyond the understanding of last year. The hon. Member has fairly made out his case, that if we are to fulfil our pledges to our constituents this is the point at which we ought to stop. When you come to deal with the Established Church you bind it down to the strict terms of the bargain of last year, and you offer the Church nothing but compensation for vested interests and the churches which are included in that bargain. In one respect you even offer the Church less than the bargain, for you are not giving to it the glebes. But, on the other hand, you give more to the Roman Catholics than the bargain implies. The right hon. Gentleman at the head of the Government says that we forgot all about the commutation, and this is a most remarkable part of his speech; for he states that, by the terms of the commutation, the Church will get £1,000,000, or £1,500,000, or £2,000,000 more than by the strict letter of the bargain it is entitled to. How is that made out? Take the case of a man who is in receipt of £300 or £400 a year for his life. You propose to abolish the

Church and to compensate the holder of that income for his life interest. Now, the ordinary mode of compensating a man when his office is abolished is to give him the whole amount of his income, and to allow him to do with his time whatever he pleases. In the case of the Irish Church the right hon. Gentleman does not act in the same way. He tells the clergyman that he may have his £300, or £400 a year, but coupled with the condition that he is to continue to perform the duties of his office. That, however, is a little less than the terms of the agreement of last year. However, I do not complain of the arrangement; but I complain of the argument which the Prime Minister attempts to draw from it. I complain that the right hon. Gentleman suggests that it might be possible for the State to have taken all that property into its own hands, and after having, in the first instance, promised the clergyman the amount of his vested interest, then to attach to it that condition.

MR. GLADSTONE: I never said that if we had taken into our own hands the business of commutation we should have attached that condition of the performance of the duties. But if we had given annuities we should have kept in our own hands the subject of commutation.

SIR STAFFORD NORTHCOTE: Then I confess I am utterly bewildered as to the mode in which the right hon. Gentleman could get £1,000,000, or £1,500,000, or £2,000,000 out of the commutation. Because what is the case? You would have to pay these annuities of £300,000 a year; you are to make no conditions whatever; there is to be a power of commutation and of commutation in the hands of the State, and that is to be so manipulated that £1,000,000, or £1,500,000, or £2,000,000 may be got out of the commutation. How is that conceivable? certainly we do not dispute the financial skill of the present Government, but I cannot for the life of me see how any just bargain can be made by which sums of this kind can be commuted for £1,000,000 or £2,000,000 less than they are worth. I think it would be scarcely worthy of the State first of all to give the annuity as a free gift and then to go and commute it on terms on which the State might be a great gainer. That would hardly be an operation to the credit of the State; and if not to the credit of the State, the Prime Minister hardly ought to take credit for not performing it. Such is the tone in which we have been addressed upon the whole of this subject. We are told that it is entirely owing to the liberality of the Government that they give us anything at all; and we know very well it is in their power to strip the Church entirely; and because they do not perform that operation with the very extremity of severity they turn on us and say—"We have dealt with you in a spirit of large liberality." I really must protest against such assumption.

MR. FAWCETT wished, in consequence of the frequent reference which had been made in this debate to the case of Trinity College, Dublin, to make a very few remarks. No one could accuse him of religious bigotry, for, on every subject, whether religious or educational, he had always been anxious that Catholics, as such, should have the same privileges as were enjoyed by members of the Church of England. As an illustration of this, he might say that for the last twelve years he had strenuously exerted himself for the admission of Catholics to his own University, and he only wished that the Bill of the Solicitor General had carried out the principle of religious equality in its entirety. But he was placed in great difficulty by the remarks of the Prime Minister in regard to Trinity College, Dublin. He did not object to compensation being given to Roman Catholic students and professors. He would be the last to chaffer about pounds, shillings, and pence; but this was not a question of pounds, shillings, and pence. It involved a great and most important principle. If compensation were given in a different form, if it were thought that the life interests of Professors and students were not properly compensated, he would double the amount; but what he said was that this lump sum was not a compensation, but an endowment. He based that statement chiefly on the speech of the Secretary for Ireland when this subject was lately before the House. What did he say? He said they ought not to object to give this lump sum to Maynooth College, because it would then only be in the position of a balance or set-off to Trinity College, Dublin. The argument was repeated by the hon. Member for

Roscommon (The O'Conor Don) and it was unanswerable only on one supposition—that Trinity College, Dublin, was to remain in its present position. But the House had decided, or all but decided, that all religious disabilities of every kind should be removed from the honours and emoluments of Trinity College; and he could not sanction the establishment of any College which could be regarded, in a denominational point of view, as a set-off to Trinity College. If they agreed to this, they would be told by the Prime Minister that they should reserve some portion of the revenues of Trinity College for the education of the Anglican clergy. And what would that lead to? To the carrying out of a favourite scheme to cut up Trinity College into a set of sectarian and denominational Colleges. Anxious as he was to throw open Trinity College, he would rather it should remain in its present position than have it cut up into denominational Colleges. But for the watchfulness and pertinacity of the right hon. Gentleman who was now Chancellor of the Exchequer a supplemental charter would have been given by the late Government, which would have destroyed the Queen's College so far as the interests of mixed education were concerned. Last year another attempt was made, which, if successful, would have been still more disastrous to the interests of education in Ireland; he alluded to the proposal to endow and grant a charter to a Roman Catholic University. There was, therefore, a powerful party in the State anxious to do something to weaken the cause of mixed education in Ireland; and he could not give a vote which would be drawn into a precedent for splitting up Trinity College into a set of denominational Colleges. He looked to mixed education as the best hope for Ireland, for until religious faction ceased Ireland would not be happy or prosperous.

The SOLICITOR GENERAL said, he should not have troubled the Committee with any remarks upon the subject of debate had it not been for the observations of the hon. Member for Brighton (Mr. Fawcett). That hon. Gentleman had referred to a measure which they both were equally engaged in promoting—namely, the enlargement of the present area of comprehension of the Universities of this country. Now he (the Solicitor General) begged to assure his hon. Friend that, if he thought that by supporting the clause he would be doing injury to that measure, or that he would in any way be encouraging a narrow or sectarian system of education in these Universities, he should hesitate before recording his vote in favour of the Government. The analogy, however, which his hon. Friend had attempted to draw had really nothing to do with the question now before the House. There were in England great and ancient institutions whose scope they were endeavouring to enlarge. But in Ireland they had a very different state of matters. There they had two large and exclusively denominational bodies. These religious bodies had the right to have a ministry, and a ministry belonging to each, and for this purpose institutions were necessary where these ministers could be educated and brought up. It was essential, and was only just and fair, that a large, wealthy, and important body, as the Disestablished Church of Ireland was likely to be for a considerable length of time—he hoped for ever—should have some place for the education of their ministry. It was equally true that the great and powerful body which was arrayed against the Protestant Church should likewise have some place for the education of their ministry. He thought, for his own part, that it was impossible to deny the claim of the Disestablished Church of Ireland to some amount of reasonable provision for the education of that important portion of its members who were to minister to its religious wants. Perhaps at some far distant date religious differences might be altogether allayed, and persons holding different opinions might be educated together at the same seminary. But as yet there was no prospect of such a consummation, and it was the duty of the practical statesman to deal with things as he found them. That being so, it appeared to him important that the Church of Ireland should by-and-by have some reasonable provision for the education of her ministers, and that the Catholic Church should also have the means of effecting the same object; and it was upon that ground that he thought reasonable and generous compensation should be made to the Roman Catholics. They might call this compensation endowment, or what they pleased; but they were about to withdraw from the Roman Catholics a large sum which had been paid year by year to them out of the Consolidated Fund, and it was right that they should get an equivalent. Hon. Gentlemen on the other side complained that the Roman Catholics were being more liberally dealt with than the Protestant Church; but in answer to that he might say that when this Bill was passed, and when the three religious bodies of Ireland stood equal in the eyes of the law, the result would be that a part of the money—between £8,000,000, and £9,000,000—would be at the disposal of between 700,000 and 800,000 members of the present Established Church; a sum of between £700,000 and £800,000 would be at the disposal of between 400,000 and 500,000 Presbyterians; and between £350,000 and £400,000 would be at the disposal of between 4,000,000 and 5,000,000 Catholics. That surely was not showing any want of generosity or open-handedness on the part of the Government towards the Protestant Church.

MR. NEWDEGATE thanked the hon. Member for Brighton for his speech, because it had elicited from the Solicitor General a virtual confession of the fact that what was to be given to Maynooth constituted an endowment. The hon. and learned Gentleman based his apology upon this—that endowments still existed in connection with Trinity College, which was open to persons of all denominations, and argued hence, that, therefore, an endowment should be given to this exclusively Roman Catholic College of Maynooth. But they had nothing to do with Trinity College. It was not included in this Bill. And why were Maynooth and the College of Belfast imported into the Bill if they were not to be treated upon the same principle as the Established Church? It was perfectly clear that Maynooth, although imported into this Bill, was to be dealt with upon terms different to those that were contemplated with respect to Trinity College. The hon. Member for Kirkcaldy had based his Amendment upon certain calculations clearly deducible from the terms of the Bill. He (Mr. Newdegate) held in his hand the calculations of an actuary based upon those terms, and those calculations were as follows:—

> "The only life interests in connection with Maynooth are the Professors and officials, whose salaries amount to £6,000 per annum, and the students, whose interests amount to £20,360. Taking the average term of about six years, their commuted value, allowing interest at 3½ per cent, and taking the mean age of the Professors at from fifty-five to fifty-six, and that of the students at from twenty to twenty-one, the amount to be given to the Professors would be £70,500, and to the students £73,296, making a total of £143,796."

So that the Prime Minister was proposing to pay Maynooth £245,244 beyond the commutation. Thus it was perfectly plain that as the Bill would terminate only the grant paid annually under the statute of 1845, to the Trustees of Maynooth; after that had been compensated by fourteen years' allowance, a surplus of £240,000 would remain as an endowment to the corporation of Maynooth, if the total sum of £385,000, proposed by the Government, were granted. But, besides this, while the whole property of the Church was confiscated, the property of Maynooth was to be retained to the corporation for ever, and untouched. He (Mr. Newdegate) knew that the income from this property amounted to about £2,500 a year, but he believed that it came to more. But how did the Prime Minister make use of this in argument? He produced accounts from the Principal and other authorities at Maynooth, showing the whole expenditure of the College—an expenditure met partly by the grant, and partly by the income of the property of the College—and he calculated the compensation to be granted according to the whole income, which met the whole expenditure, making no account of the fact that it was the grant only which was to cease, while the property was to be continued to the College, and thus attempted to account for the excess of grant above the compensation, which would be justly due if the loss of the grant only was to be compensated. This was the ingenious device which the right hon. Gentleman adopted to conceal the fact that he was about to give Maynooth an endowment. At the commencement of his speech the right hon. Gentleman dwelt largely upon the principle of equality, yet there was no equality in the terms upon which he proposed to deal with Maynooth, as compared with the terms to be dealt to the Church. Really the right hon. Gentleman lectured upon equality and liberty until he (Mr. Newdegate) almost imagined that he was listening to the

Count Montalembert, who, twenty years ago, recommended the Roman Catholics in this country to claim full liberty, and in everything perfect religious equality. And why? Because, wrote the Count Montalembert, in his work entitled *The Political Future of England*—

> "If you, the Roman Catholics in England, obtain perfect religious equality, and perfect religious liberty, there is nothing in the Constitution of England that can withstand your power."

When that was written there was little idea that Parliament would now be disestablishing and disendowing the Church of Ireland at the instance of the Roman Catholic hierarchy. Let them regard this principle of equality. Why had they confiscated the property of the Protestant Episcopal Church? And why? Because it was guilty of the sin of being connected with the State. According to the principles of hon. Gentlemen, why should they not deal with the property of the Roman Catholics in the same way, confiscated as they were confiscating that of the Protestant Church, and throw the whole into "hotch-potch?" The Prime Minister's plan of allotting so much per head of this property to each of the population might then come in; and in that case he believed the Church of Ireland would not suffer, for the Archbishop of Armagh was right when he said that the Roman Catholic Church in Ireland was the wealthiest community in the world in proportion to its extent. The statements by which the right hon. Gentleman at the head of the Governmenhad sought to defeat the Motion of the hon. Member (Mr. Aytoun) were based on grounds entirely apart from the Parliamentary grant to Maynooth. Having thought through this subject, he was prepared to say that the statement of the hon. Gentleman (Mr. Aytoun) remained undisputed, and he prayed the Committee not to take this opportunity of granting an exceptional favour to Maynooth in the same Bill by which they were confiscating the property of the Protestant Establishment.

Mr. SINCLAIR AYTOUN begged to offer a few words of explanation. The right hon. Gentleman the Prime Minister had spoken of him as an astute person, and declared that he had made the best of his opportunities of studying political life, inasmuch as he had passed over all the clauses relating to the Presbyterians, and only attacked the principle in the case of Maynooth. But the right hon. Gentleman must be aware that he had announced his intention of dividing in favour of retaining Clause 37 —the clause regulating the payments to the Professors of the Presbyterian College—which was afterwards omitted upon the suggestion of the right hon. Gentleman himself, his reason for giving the Notice being that, unless he divided against that clause, he could not honestly oppose the proposed settlement in the case of Maynooth. But upon that occasion the hon. Member for Shaftesbury (Mr. Glyn) came to him and asked whether it was his intention to divide? —and he, and other Members friendly to the Government certainly gave him to understand that it would be more agreeable to the House that he should not divide upon that particular clause, as there would be opportunities of raising the question further on. Not desiring to annoy the House, or to delay the progress of the Bill, he abandoned his intention of dividing upon that question. And now he was called "an astute person" by the right hon. Gentleman. These were the thanks he got. Again, upon the last day that the Committee met, some verbal Amendments were standing in his name; and, to save time, at the instance of the right hon. Gentleman, he waived his right to propose these, and also consented to postpone his objections to the third head, to allow the division to be taken upon the Main Question. This he did simply to save time; but now the right hon. Gentleman complained of these very postponements, and asked, if he was anxious to maintain a principle, why he did not apply it to the Widow's and Clerk's Funds, as well as to Maynooth, and actually talked about "chaffering," and the smallness of these amounts. He had looked into the returns of amounts formerly paid under these different heads, and found that the widows received only £166, and the clerks £152. The incidental expenses came to £250; and he had given notice of his intention to attack that sum, but consented to wait till the Main Question was disposed of. After this explanation, the Committee, he hoped, would acquit him from the charge which the right hon. Gentleman had brought against him.

Mr. BENTINCK, who rose amid loud cries of "Divide," moved that the Chairman report Progress.

Whereupon Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Bentinck.*)

The Committee *divided*:—Ayes 173; Noes 343: Majority 170.

Mr. GLADSTONE: I wish to say a few words with respect to the course of business, because I think it is material to the general convenience of the House. With regard to the hon. Member (Mr. Bentinck), I am quite sure that any remarks he may have to address to the Committee will be heard with readiness by the House, and I believe the untoward accident of the last division arose from a belief by many hon. Members that he was shut out from his seat. I wish to know what would be the general wish with regard to the progress of what now remains of this Bill. We are near our last division with respect to Maynooth. I think it would be well for the Committee—for there is no point requiring prolonged discussion—to go on sitting this evening to a somewhat later hour than usual. I believe it is for the convenience of the House, and for the convenience of those in "another place," as I understand, that we should be ready to take the third reading of this Bill shortly after Whitsuntide. For that purpose, it would be necessary to take the Report before Whitsuntide. What I wish particularly to observe is—that I do not think the Report ought to be taken without an interval of four or five days. The Bill, no doubt, will be reprinted immediately after we are out of Committee; but it would not do, for instance, that the Committee should be postponed to Monday, and then the Report taken on Thursday. That, I think, would not be fair to parties in Ireland, who would naturally, and very properly, wish to have a day or two to survey it there, in order to inform Gentlemen in the House on any point on which they might not have gathered accurately and precisely the purport of what has been done here. As far as I can judge, the questions that still remain will be finally disposed of to-morrow between the Morning Sitting and the Evening Sitting. If necessary, we should make arrangements with Gentlemen to take an early consideration of the questions they may have upon the books. But it would be a great advantage, and greatly increase our hopes of concluding the matter—for both sides of the House have entirely a common purpose, so far as I am aware—if we should continue the sitting to-night somewhat beyond the usual hour.

Sir JAMES ELPHINSTONE hoped it would be understood that hon. Gentlemen having Motions on the Paper to-morrow would postpone them.

Mr. BENTINCK said, the right hon. Gentleman at the head of the Government had spoken of the last division as an untoward one; but he hoped the right hon. Gentleman would admit that it was not entirely his fault that a division had been taken. ["Oh, oh!"] He did not address himself to the new Members who were in the House in such large numbers. All those with whom he had sat for some ten years were aware that he was not in the habit of addressing the House at any length, nor very frequently. ["Oh, oh!"] He repeated that he did not address himself to new Members who were ignorant on the point. When he first arose to address the Committee he was about to state that, not having had the advantage of attending to this debate, it was not his intention to trouble the Committee at any length; but the Prime Minister having referred to a gesture of his (Mr. Bentinck's), he was about shortly to state his reasons, when he was interrupted. The Prime Minister was claiming for himself the great advantage he had given the Irish Church under this Bill, and he said that as he had given the Irish Church £9,000,000, and Maynooth only £400,000, it was a monstrous thing for anyone to complain. The hon. Member for Brighton (Mr. Fawcett) had raised a question, which was participated in by many, whether this Bill did not create a rich endowment for Maynooth. But having regard for the hour, he would not then pursue it. The right hon. Gentleman the Prime Minister had thrown all the cost of keeping up the ecclesiastical buildings and glebe houses upon the clergy, and he had stated the private endowments at £500,000; but when he was pressed upon that point, some few days since, he said he had no reliable authority for stating it at that sum—it was mere matter of conjecture, the Irish Church Commission having placed it at £272,000. He was not a great financier like the right hon. Gentleman, but he had mastered four rules of arithmetic, and therefore he wanted to know how the new Church Body was to pay the charges on the ecclesiastical buildings and glebe houses out of these private endowments, and yet be on an equality with Maynooth, that was to have £400,000? Of course, if the endowments did not exceed £272,000, why, of course, so much the worse for the Irish Church. Could that be said to be treating them on an equality. [" Oh, oh!"] No doubt, those facts were distasteful to the hon. Gentlemen below the Gangway, why were masters for the time being. He should like to hear some facts come out of their mouths, and for one of them to rise and attempt to confute the figures he had given. He defied them to do it. That was the reason why he ventured to make use of the gesture referred to by the right hon. Gentleman. He had made his statement disregardless of the cries of the miserable majority—[" Oh, oh!"]—and he used the term "miserable" not in the English sense, as it had been used by an hon. Baronet (Sir Henry Hoare) who represented a metropolitan borough, when speaking of the minority, but in its French sense, because they were in that condition in that House that on every occasion they attempted to stifle free discussion.

Lord CLAUD HAMILTON regretted that his right hon. Friend at the head of the Government should have said that those who objected to the arrangements for Maynooth had reserved their objections till after the arrangements connected with the *Regium Donum* had been agreed to. He had been asked by those among his constituents who were Presbyterians to complain that the principle of equality upon which this measure was asserted to be framed had not been followed in the case of the College of Belfast. They urged, that while the grant to Maynooth embraced provision for the salaries of the Professors, the support of the students, and the repairs of the buildings, the grant on account of the Belfast College dealt only with the Professors' income, limited to their life interest, and made no provision for the maintenance of the students or aged ministers, or for the repairs of the building. He could not be accused of evincing any hostility towards Maynooth, because he had hitherto supported the grant to that College, against the wish of many of his constituents. He therefore felt that he could, with the greater reason, urge that the College of Belfast should be treated on the same footing as Maynooth, and if that were done he felt convinced that perfect satisfaction would be given. The Solicitor General had accused those who sat on his side of the House with organizing an attack upon Maynooth; but the hon. and learned Gentleman should remember that it was not they who sought to disturb the existing arrangement, but that that disturbance was a part of the scheme brought forward by the Government.

Sir HENRY HOARE, having been pointedly alluded to by the hon. Member for Whitehaven (Mr. Bentinck) begged to remark that he had, on a former occasion, disclaimed any intention of saying anything offensive to hon. Members opposite when he had made use of the word "miserable." The term might have been unfortunate; but it was not inexpressive when intending to convey the idea that their minority was infinitesimal. Reference had been made by the hon. Gentleman to young Members, amongst whom must be included the hon. Member for North Wiltshire (Sir George Jenkinson). He assured the hon. Member for Whitehaven that the young Members entered into a debate with fresh feelings and warm sympathies, and they were, therefore, the Members that were most impatient of frivolity and bombast.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 305; Noes 198: Majority 107.

Sir GEORGE JENKINSON said, that having resisted the progress of the Bill at every stage up to this point, and thus satisfied his own conscience, and done his duty by those who had returned him to the House, expressed his determination to fight no more against the measure, believing that, as the Bill had progressed so far, the sooner it was sent to "another place" the better. He hoped that, in its progress through the other House, it would receive more of even-handed justice and generosity than had been the case in this House, where we have heard so much but seen so little of those two qualities. To give fourteen years' income to Maynooth out of the funds of the Church, while the clergyman of the Church itself had only a life interest in its funds, was anything but justice and equality; but he was resolved to fight the question no more, and would therefore withdraw the further Amendment he had upon the Paper.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clauses 40 to 42 *agreed to.*

Clause 43 (Compensation to Ecclesiastical Commissioners and their officers). The salaries of the Commissioners were fixed by inserting the words "the sum of £1,000 each during their natural lives respectively." Compensations were also awarded to the solicitors and clerks of the Commissioners, and other officers.

MR. PIM having withdrawn an Amendment standing in his name,

Clause *agreed to.*

Clause 44 (Compensation to vicars general and other officers by annuities equal to their average income for the three years ending 1st January, 1870).

THE MARQUESS OF HAMILTON moved, in page 21, line 3, after "recommend," insert—

"Provided always, That in any case where a deputy registrar shall for five years before the passing of this Act have discharged the duty of the office of registrar, such deputy registrar shall receive from the Commissioners such sum by way of compensation for the loss of his office as the Commissioners shall think right, and such sum shall be deducted from the amount payable under this Act to the principal registrar."

THE ATTORNEY GENERAL FOR IRELAND (Mr. SULLIVAN) said, the Amendment of the noble Lord solved the difficulty which was felt in the case.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses 45 to 48, *agreed to.*

Clause 49 (Regulations as to payment of annuity.)

MR. GLADSTONE moved to add at the end of the clause, "All commutation moneys paid under this Act in lieu of annuities shall be calculated at the rate of three pounds ten shillings per centum per annum."

Motion *agreed to.*

Clause, as amended, *agreed to.*

Clauses 50 and 51 *agreed to.*

Clause 52 (Sales of lands, &c., may be made in Landed Estates Court.)

MR. M'MAHON moved, at end of clause, to add—

"Provided always, That in all sales by the Commissioners, whether in the Landed Estates Court or otherwise, each farm or holding shall be offered for sale separately, and the terre-tenant in actual occupation thereof shall be preferred in the purchase of it before any other person; and until he shall have declined to accept the Commissioners' offer, or in case of a sale by auction in the said Court some one else bids more than he, after notice of such bidding, will offer, his benefit of preference or pre-emption is not to be lost."

THE ATTORNEY GENERAL FOR IRELAND (Mr. SULLIVAN) thought the Amendment too wide and unnecessary, because the right of pre-emption was already secured by the 33rd clause.

Amendment *withdrawn.*

Then on Motion of the ATTORNEY GENERAL for IRELAND, words—"Any right of pre-emption hereinbefore secured shall be as far as possible preserved by the said court," inserted.

Clause, as amended, *agreed to.*

Clauses 53 to 57 *agreed to.*

Clause 58 (Regulation as to vacancies.)

SIR HERVEY BRUCE suggested that it would be well to postpone the consideration of this clause, as several Amendments were to be proposed.

MR. GLADSTONE, after hoping that hon. Gentlemen would be in attendance at the resumption of the Committee at two o'clock to-morrow, explained, that the Amendment which stood in his name merely supplied an omission in the Bill.

House *resumed.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

O'SULLIVAN'S DISABILITY BILL.

(WITNESSES.)

Ordered, That the following Witnesses, namely, James Sheridan M'Leod, R.M.; William R. Starkie, R.M.; Nicholas Dunscombe, D.L.; William Johnson, D.L.; William L. Perrier, J.P.; Henry Unkles, J.P.; John O'Sullivan, J.P.; Philip Sarsfield, J.P.; Henry L. Young, J.P.; William H. Lyons, J.P.; James S. Baker, J.P.; Edward Casey, J.P.; Richard B. Tooker, J.P.; James Wheeler Pollock, J.P.; Henry Humphreys, Clerk to the Magistrates, Cork; Sub-Inspector Michael Egan; Sub-Inspector William Gun; Constable Patrick Cantillon; Constable Patrick Staunton; Thomas Crosbie;

William Guinee; George Lawrence; David A. Nagle; and Michael Dalton do attend this House on Tuesday the 11th day of this instant May, at Two of the clock, and give evidence on the Bill to disable Daniel O'Sullivan, esquire, from holding, enjoying, or taking the office of Mayor, or Justice of the Peace, or any office or place or magistracy in the city of Cork or elsewhere in Ireland, and produce all Documents relating to the same.

Ordered, That Mr. Attorney General for Ireland do appoint Counsel to produce and manage the evidence, at the Bar of this House, upon Tuesday the 11th day of this instant May, in support of the allegations of O'Sullivan's Disability Bill.—(*Mr. Attorney General for Ireland.*)

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Friday, 7th May, 1869.

MINUTES.]—*Sat First in Parliament*—The Earl of Ilchester, after the death of his Uncle.

PUBLIC BILLS—*Second Reading*—Religious, Educational, &c. Societies Incorporation (81).

Committee—Government of India Act Amendment * (62-94).

Withdrawn—Reformatory Schools Amendment * (63); Industrial Schools (Great Britain) (64); Contagious Diseases Act (1866) Amendment * (29).

REFORMATORY SCHOOLS AMENDMENT BILL—(No. 63.)

(*The Marquess Townshend.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE MARQUESS TOWNSHEND, in moving that the Bill be now read the second time said, that the object was to amend the provisions of the Reformatory Schools Act, 1866, so far as to give power to send girls under the age of sixteen belonging to the class of "unfortunates" to reformatory schools. The measure was the same as that which he had brought into the House last year, and which was opposed by the then Government. He felt now that he could not withdraw it unless strong reasons were shown for throwing it aside, for it was a measure of utility and common humanity, not to say of necessity. Institutions already existed for the reformation of these wretched creatures, but if under a certain age they were refused admission. Now surely they ought to be protected from persons who traded upon their wretchedness, and detained until they were of an age to know what was the character of the life they had been leading. Objection had been offered to the Bill on the ground that the inmates of the reformatories would be contaminated by the admission of these girls; but that could hardly be, because 80 per cent of these inmates themselves belonged to the same class, and no harm that he could see would arise from extending the benefit of these institutions. He understood the Government were opposed to the Bill—for what reasons he was at a loss to comprehend—but he hoped their Lordships would agree to the Motion for the second reading, and then, if necessary, it could be amended in Committee.

Moved, "That the Bill be now read 2ª."—(*The Marquess Townshend.*)

THE EARL OF MORLEY said, that, while sympathizing with the noble Marquess's endeavours to protect the bodies and improve the minds of the poorer classes of the population by introducing Bills of this kind, he regretted that the Government could not support the measure. It appeared to him to be both useless and mischievous: useless, because, under existing circumstances, the managers of reformatory schools refused to admit persons of this class, and it was not probable that if the Bill passed they would depart from that resolution; mischievous, because those institutions were designed for young persons who had committed small crimes; and the introduction of this class of unfortunates among them would certainly not tend to their moral improvement. Moreover to make that proposed law effectual, it would be absolutely necessary to alter the clause in the Reformatory Act of 1866 as to the certification of those institutions, so as to enable the Government to certify separate establishments and penitentiaries or Magdalen asylums, which could only be done at an immense expense. At the present time the expense of those reformatories and industrial schools was very much increasing, the estimate this year being £163,000 as against £123,000 last year.

The MARQUESS TOWNSHEND, after a few words of reply, said he would withdraw the Bill.

Bill (by Leave of the House) *withdrawn.*

INDUSTRIAL SCHOOLS (GREAT BRITAIN) BILL.—(No. 64.)

(*The Marquess Townshend.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE MARQUESS TOWNSHEND, in moving that his next Bill be now read the second time, said, he must confess, that after the tone in which his former measure had been received by the Government, he did not feel much encouragement to hope better in regard to this one, there being considerable analogy between the two Bills. The Bill was directed towards various points in which the Act of 1866 had proved defective—for instance, some magistrates deemed themselves precluded from sending children to these establishments if they were found in the company of adults, begging or singing in the streets. The 1st clause of the Bill would remove the doubt entertained on this point, and provided that children found under such circumstances should be brought within the operation of the Industrial Schools Act, unless it was proved that they were receiving instruction for at least twelve hours a week. The principle of compulsory education had been adopted in the case of young persons employed in factories and workshops; surely, then it ought to be extended to children less favourably situated. Otherwise, what possible prospect, except one of vice and degradation, was open to those poor little outcasts, who, almost before they could speak or walk, were driven into the streets of London to contract, while yet infants, all the contamination and vice that could nowhere be so surely learnt as in our great London thoroughfares? Thousands of children, shoeless, ragged, and miserable, were sent about the streets nominally, to sell small articles, but really to beg, and the persons who so sent them would not, unless compelled, give them the opportunity of receiving any instruction, the consequence being that they remained utterly ignorant until, as too often happened, they became inmates of reformatories or prisons. No person of ordinary humanity could pass through the streets without deeply commiserating the fate of hundreds of those infants and children who, in the midst of hunger and dirt and vice were growing up under all the worst influences that could blight human nature. One of the causes of this was that the Government did not sufficiently enforce the law against unlicensed hawking. What must be the future of girls exposed all day and part of the night to the contamination and vice of our great cities? With boys he did not propose to interfere, since the evil in their case was a much smaller one. He proposed to make it illegal for any girl under fourteen years of age, on week days, or children of either sex on Sundays, to offer for sale any articles; and to save children apprehended under such circumstances, from the contamination of a police cell or a prison, the Bill provided that they should be detained at the parish workhouse until brought before a magistrate, and if committed to an industrial school to be detained in the workhouse until received into a school. The existing accommodation in these establishments was very insufficient, there being in London accommodation for only 100 Protestant children and a not much larger number of Roman Catholics, so that the decision of a magistrate to send a child to such an institution was often nugatory. This clearly ought to be remedied, for what would be thought if a criminal was discharged on account of the nearest prison being full? He regretted to find that the Bill was opposed by those who had the management of the Act of 1866, but that Act plainly required amendment, and he hoped, therefore, that no objection would be offered to the second reading.

Moved, "That the Bill be now read 2ª."—(*The Marquess Townshend.*)

THE EARL OF MORLEY said, that the Government were of opinion that legislation of this kind was not at the present moment required, and he trusted that the noble Marquess would not press this measure. The Act of 1866 was framed with the utmost care, the categories of children to whom it was to apply being made as wide as seemed desirable; but the Bill proposed to add three new categories. Children sent into the streets were to be taken to an industrial school unless it could be shown that they had been at school at least twelve hours during the preceding week. Now, this was an extension of the principle of the Factory Acts, and was too large a subject to be dealt with in a Bill of this kind.

Then any girl under fourteen was to be forbidden to expose any article for sale, the clause being so worded as to include even girls employed in shops, and any child was to be forbidden to trade or hawk any article on Sundays. He hoped the noble Marquess would excuse his not discussing in detail the provisions of the Bill, the House being anxious to proceed to matters of interest which were on the Paper. He would only say, therefore, that the terms of the Act of 1866, as to children begging in the streets, were sufficiently wide for all practical purposes, and that when the subject of the Factory Acts and of Sunday trading came before the House it would be the proper time to discuss the education and the Sunday employment of children.

Bill (by Leave of the House) *withdrawn.*

RELIGIOUS, EDUCATIONAL, &c., SOCIETIES INCORPORATION BILL.

(*The Lord Romilly.*)

(NO. 116.) SECOND READING.

Order of the Day for the Second Reading, read.

LORD ROMILLY said, that in asking the House to give a second reading to this Bill he would only delay for a few moments a more interesting discussion. The measure was a very small, but, he believed, would be a very useful one. Great inconvenience and expense were caused by the necessity of having the property of a charity vested in all the trustees, and when any of the trustees died conveying to new trustees, as also by the execution of leases by absent trustees. The Bill, therefore, would enable charities to become corporations by application to and with the sanction of the Charity Commissioners. They would then be able to grant leases under their common seal, their affairs being otherwise carried on exactly as at present. He had submitted the Bill to his noble and learned Friend on the Woolsack, and had withdrawn a clause to which objections might have been offered.

Moved, "That the Bill be now read 2ª."—(*The Lord Romilly.*)

THE LORD CHANCELLOR concurred in the object of the Bill—namely, the relieving charities from the necessity, upon every new appointment of trustees, of having new conveyances and deeds, there being a difficulty sometimes in ascertaining who the proper trustees were. He thought, however, that the clause referring to land did not sufficiently guard the Law of Mortmain, the provisions of which ought not to be infringed, and he believed it would be more expedient to adopt only that part of the Bill which enabled trustees to be incorporated. This he preferred to the incorporation of the charities themselves, many of them being very ephemeral, though not so notoriously so that the Charity Commissioners would exercise their veto on the incorporation; and the granting of a charter of incorporation being a Prerogative of the Crown, he doubted the propriety of transferring it to the Commissioners. The fact of its incorporation might mislead persons, by giving it greater apparent importance than it really possessed, and the incorporation of trustees would meet all the exigencies of the case.

LORD CAIRNS said, that, so far from regarding the Bill in its present shape as a small one, it seemed to him one of the most gigantic ever brought before the House. It would sweep away the whole Law of Mortmain, interfere with the Sovereign's Prerogative of granting charters, and would enable every reading society, book or blanket club, or collection of persons assembled for any purpose which could be described as pertaining to literature, science, art, or religion, to obtain a certificate of incorporation and use a common seal. There were no provisions enabling these bodies to be sued or giving execution against their property or any of their members. The power of incorporation was a high Prerogative, which ought not to be lightly transferred or exercised; and he hoped the noble and learned Lord before the Bill was committed would frame Amendments entirely altering its character—for he was sure that in its present shape their Lordships would not pass it.

LORD ROMILLY said, he would endeavour to frame Amendments before the Bill went into Committee, and would submit them to the bodies interested, with the view of ascertaining how the object in view could be best carried out.

Motion *agreed to;* Bill read 2ª accordingly.

IRISH POLICY OF THE GOVERNMENT.

OBSERVATIONS. QUESTION.

THE MARQUESS OF SALISBURY who had given notice to call attention to the views of Irish policy which are reputed to have been expressed by the President of the Board of Trade: and to ask how far they are to be taken as the views of the Cabinet—said, My Lords, I have to offer an apology to the House, and to my noble Friend (Earl Granville) who leads the House, on two grounds. The first is for having brought forward a matter in your Lordships' House, which has undoubtedly arisen in connection with the debates of the other House of Parliament —in respect to which I can only say that, while I think that such a course is improper in ordinary cases, in cases of declarations on the part of principal Members of the Government, it is essential we should have the power of questioning Members of the Government in one House as to declarations made by their Colleagues in another. As to any objection that may be raised to my conduct in this respect, I would remind noble Lords opposite, moreover, that this power was freely used by those who are now in power with respect to a noble Friend of mine during last Session. The other ground on which I owe an apology is for the length of time which has elapsed since the speech was made—it being a week ago. Had I been in town on Monday I would have given an earlier Notice; but it must be remembered that this is only the third day on which the House has sat since the speech was delivered. Now I desire to put a question to the noble Earl on this subject, because it seems to me that the attitude of his Colleague in the other House of Parliament has differed, and differed disadvantageously, from his own conduct in this House. We ventured to question him, and to question him closely, as to the policy of the Government in respect of the Irish land question. The noble Earl distinctly declined—and he was supported in that refusal by the Lord Privy Seal—to lay down the policy of the Government on the question, and he gave reasons which appeared to his own mind sufficient, and were undoubtedly within his competence, in order to defend himself from being further pressed as to the intentions of the Government upon that subject. Now I did not conceal at the time my own impression of this silence; this reticence on the part of the Government was not an act of prudence. I thought it was giving encouragement to those who were entertaining extravagant hopes in Ireland and who were rousing the population to unfounded expectations; but I never doubted that it was within the competence of the Government to maintain that reticence if they thought fit. They have a right—however much I may question the wisdom of their decision—to keep back from the House, if they please, their intentions on this subject. We never know the value of a thing till we lose it, and I only wish we had the diplomatic reticence of the noble Earl. I only wish the noble Earl could invest his Colleagues in the other House of Parliament with the exquisite sense of discretion which he has always exhibited in this House. But I do venture to say that it compromises the position of the noble Earl with respect to those whom he addresses in this House, and is hardly respectful to your Lordships' House, that when a declaration of the policy of the Government is for high reasons of State desired here, their intentions should be blurted out by a Member of the other House of Parliament. Therefore I have to ask the noble Earl whether the speech to which I refer be a real representation of the intentions of the Government. I do not question his right to reticence—his right to assume the attitude of discretion if he maintains it; but I do question his right to conceal the intentions of the Government in this House, and then allow a Colleague in the other House of Parliament just to lift up the veil slightly so that the discontented in Ireland may have the benefit of it. Now, my Lords, I will state the passages to which I wish to call the attention of the noble Earl, as they are attributed to the President of the Board of Trade—passages which appear to me most inconsistent with the position which the noble Earl took up the other night—passages which appear to me, if they are interpreted according to their natural meaning, dangerous to the rights of property in Ireland; and, if they are not interpreted according to their natural meaning, are most dangerous as raising unfounded expectations in the people of Ireland. What the President of the Board of Trade is reputed to have said in the other House was this—

"I said before, and I say now, that there can be no peace in that country till the population, by

> some means or other—I am prepared to propose a means, and I believe it can be done without injustice to any man—are put in possession in greater numbers than they are now of the soil of their own country."

In that statement the policy of the Government is laid down as "putting the population in greater numbers than they are now in possession of the soil." But the President of the Board of Trade not only states the policy of the Government, but he states that he has the machinery at hand for carrying it into effect. What that machinery is he does not tell us, but he states with the utmost distinctness the object the Government has in view; and that he has well thought over and fully resolved on the means by which that object is to be attained. Now, this is not the only point in the speech which seems to me to call for explanation. The President of the Board of Trade does not only state the object, but he goes on to point out to some extent the means by which it is to be carried into effect—or rather, I should say, he does not point out, but he lets drop pregnant hints—transparent insinuations—through which those in Ireland who are looking to the policy of the Government, or the promises of the Government, to find some support for their own discontented and disloyal schemes, may find at least a ground of hope if not confident expectation. In the first place he says—

> "But I say that the time has come when acts of constant repression in Ireland are unjust and evil, and that no more Acts of repression should ever pass this House unless attended with Acts of a remedial and consoling nature."

An Act of repression is at this moment passing through the other House of Parliament; therefore, I suppose, the pledge so distinctly given by the President of the Board of Trade must be fulfilled—it must be attended by measures of a remedial and consoling nature. But now I come to the most remarkable part of the speech. The speech lays down clearly the policy that the population are to be put in possession of the soil of the country; and it lays down distinctly the time—that "no more Acts of repression are to pass unless attended by measures of a remedial and consoling nature;" and then it ends with a most pregnant sentence, which cannot be overlooked in Ireland—

> "I have stated before in this House and elsewhere that there is no proposal whatsoever with regard to the land of Ireland that I could not support if I were myself an Irish landowner that shall have any sanction from me. I believe the policy of our law with regard to land in Ireland has been destructive and fatal to the true interests of the landlords. Your present condition shows it. It would have been better for you fifty years ago to have lost half of your estates, if by that means you could have given content to the people and security to the remaining half."

The object, therefore, of the measure which the President of the Board of Trade knows of, but would not lay on the table, is to give content to the people of Ireland; it is an essential condition of that measure that it should be such as that a landlord could not prudently disapprove it; and he concludes by saying that no landlord in his judgment could disapprove of a measure which, in order to give content to the people of Ireland, should deprive him of half his property. I put these sentences together. I candidly admit that I do not in the slightest degree believe that the President of the Board of Trade desires to deprive landlords of half their property—on the contrary, he says—and there is no man whose statements, from the courage and consistency of his past life, are entitled to more absolute credence—that he would do nothing which, in his judgment, would interfere with the rights of Irish landlords. What I complain of in the speech of the right hon. Gentleman is that his views have too much vagueness on the one side and too much distinctness on the other. Their distinctness consists in holding out to the people of Ireland an object which they desired to attain by lawless means—their vagueness with respect to the lawful and legitimate means which, in his belief, are necessary to attain it. Something of the same complaint must be made of the speech of the Prime Minister who followed. I do not mean to say that he expressed his approval of the measure indicated by his Colleague, but he did not disclaim it. He said it was a measure which several on that side did not approve. He pronounced no disapproval of it on the part of the Government. He said that, on his part, fixity of tenure should not be adopted till other measures had been tried. He gave no opinion against the fixity of tenure. He did not disavow—as we might have expected he would disavow—an unabashed assault upon the laws of property. What we want of Ministers in this country is not that they should say they will not attack the laws of property till some other conditions are fulfilled—what we want is that they should set up these laws as conditions which under all circumstances cannot be transgressed, and to warn those who attempt to break them that they do it at their own peril. This vacillation, this invitation of pressure, these intimations that they will be prepared to yield to increased agitation, are not the way to repress unlawful desires, or to calm agitation, but rather the means of inciting men of violence to continue their intrigues against property. My Lords, I have ventured to bring this matter before the noble Earl because I wish to press upon him especially this point—that if he and his Colleagues hold up before the population of Ireland an object they have been accustomed to contemplate as to be acquired in a violent and illegal way—if they say here is the possession of land to the population of the country; you have been accustomed to look to this by violence and insurrection, we will attain it for you by some circuitous method we do not explain—if you do this you are encouraging them, whatever you may think, in their lawlessness and violence. The project of the President of the Board of Trade, as stated some years ago, is one, as I understand it, to buy the properties of landlords in Ireland and sell them again on easy terms to small tenants. Whether he still entertains the same project I do not know; but surely he could not have alluded to it in his speech the other night; because it is obvious that to produce any permanent impression on Ireland, and to be a measure worthy of the name of a statesman, it would have to be carried out—whether wise or foolish—on a large scale. You must be able to offer for sale large properties in every part of Ireland; it would not do to confine it to one particular part of Ireland—you would have to furnish land to all who would buy it. And how is the land to be procured? It is obvious that the land must first be obtained from the landowners. Has the President of the Board of Trade received any assurance from the landlords of Ireland that they are prepared to sell? or is he prepared to make them part with their land by compulsory legislation? and is he prepared to offer the land at so low a price that it must be made up by the tax-payers? And if that be so, has he ascertained that the British tax-payers will approve the bargain? If he did not refer to that, what did he refer to? The proposition of the President of the Board of Trade is to put the population of Ireland in possession of the land of Ireland. Now, I ask the noble Earl to enter the confessional which he declined to enter some weeks ago. He has now no alternative but either to accept or reject the proposition, which has been most distinctly laid down by a leading Member of the Government. What I desire to know is—whether the Government adopt the view of Mr. Bright that there can be no peace in Ireland until the population by some means or other are put in possession, in greater numbers than they now are, of the soil of the country? If so, has Mr. Bright laid before them the measure which he says he has prepared to attain that object? and, if so, have they approved that measure? I am not seeking to dictate to the Cabinet. I ask these questions for the sake of the landlords, whose rights are assailed, and of the population, whose enthusiasm may be abused. I say you are now bound to give us the benefit of an explanation of your policy. If you cannot prevent individual members of the Cabinet from betraying the intentions of the Government, you are bound to avow those intentions—for the greatest injury you can do to Ireland is now to maintain vague expectations which you have not the means of realizing. The greatest benefit you can do is to explain to Parliament the policy which is to satisfy all classes in Ireland. State distinctly what you think ought to be conceded, as being just and fair; at the same time declaring that your convictions do not allow you to go beyond that point, and that no agitation in the country and no pressure employed in Parliament will induce you to stir one inch beyond that which you consider just and right.

EARL GRANVILLE: My Lords, in the first place I acknowledge the courtesy of the noble Marquess in making two apologies. The second apology, I can assure him, I do not require in the slightest degree. I own my feeling is that although the noble Marquess is quite right to act upon his own sense of responsibility, it is an advantage and not a disadvantage that some time should occur between the notice and the attack on a subject of the greatest delicacy and importance, and which all parties are agreed can lead to no practical result. With regard to the other apology, so far as I am concerned I shall say nothing. But with regard to the excuse which the noble Marquess has made, I think he is taking the most irregular course I ever remember to have been taken in the House in referring to the debates in the other House. I remember that a noble Lord opposite (Lord Cairns) gave a castigation to a noble Duke behind me because he had criticized a letter written to Mr. Disraeli, having nothing to do with the other House of Parliament. On this point I will read to your Lordships the statement of a great authority on Parliamentary practice. In his work *On the Law and Practice of Parliament*, Sir Erskine May says—

> "The rule that allusions to debates in the other House are out of Order is convenient for preventing fruitless arguments between members of two distinct bodies who are unable to reply to each other, and for guarding against recrimination and offensive language in the absence of the party assailed; but it is mainly founded upon the understanding that the debates of the other House are not known, and that the House can take no notice of them. Thus when, in 1641, Lord Peterborough complained of words spoken concerning him by Mr. Tate, a Member of the Commons, 'their Lordships were of opinion that this House could not take any cognizance of what is spoken or done in the House of Commons, unless it be by themselves, in a Parliamentary way, made known to this House.' The daily publication of debates in Parliament offers a strong temptation to disregard this rule. The same questions are discussed by persons belonging to the same parties in both Houses, and speeches are constantly referred to by Members, which this rule would exclude from their notice. The rule has been so frequently enforced that most Members in both Houses have learnt a dexterous mode of evading it, by transparent ambiguities of speech; and although there are few orders more important than this for the conduct of debate, and for observing courtesy between the two Houses, none, perhaps, are more generally transgressed. An ingenious orator may break through any rules in spirit, and yet observe them to the letter."

No one will doubt that the noble Marquess is an orator and a most ingenious one; but he appears to me to have taken an irregular and inconvenient course. It is most irregular to read reports from the newspapers of what has been said in the other House, because it places this House in danger of being in a disagreeable position with regard to the other House, and it is a course singularly inconvenient to Her Majesty's Government. The noble Marquess is aware that our Proceedings for mutual convenience are exchanged between the two Houses. The Notice which the noble Marquess gave of putting this Question did not contain the particular passages in Mr. Bright's speech which have been commented on. I do not, however, assume that there was anything unfair in that proceeding —on the contrary, if the passages had been quoted in the Notice, I should have objected to such a Notice being recorded in the Order Book—it was, therefore, impossible for me to know whether the noble Marquess meant to allude to a speech in Parliament or to any of the numerous speeches which Mr. Bright has made in different parts of the country. If, however, the noble Marquess had exercised his ingenuity, and, without referring to any person, had asked whether such and such constituted the policy of Government with respect to Ireland, he would then have avoided irregularity, and would have given me the advantage of knowing the nature of the language to which he referred. Neither did the noble Marquess give me any intimation that he was going to allude to any opinion expressed by Mr. Gladstone. However, I will endeavour to make some answer to the noble Marquess's observations. The noble Marquess has referred to what I have said previously, and I may remind your Lordships that on more than one occasion I have been told that we are responsible for all that has happened in the shape of outrage in Ireland, on two grounds—one of which was that we did not legislate on important questions; and the other was that we have observed too much reticence with regard to our policy. The former point appears now to have entirely disappeared from our discussions, and the noble Marquess has told the House that he does not complain of the Government for not legislating during the present Session as the noble and learned Lord (Lord Cairns) had previously done. That particular point, then, which laid me open to censure, is, for all practical purposes, disposed of. The noble Marquess said that what has happened has made him change his opinion with regard to my reticence. On that point I venture to say that some years of official life impress on us the importance of observing certain official rules as necessary for the furtherance of Public Business. I admit that the rule of maintaining a certain amount of reticence, on the part of Members of the Government, was disregarded by Mr. Bright the other evening. I hardly like to say—and I should not have done so if Mr. Bright had not told me—that he had made the mistake of not prefacing what he had to say, by observing—"If I were speaking for myself, I should say so-and-so;" and I ask your Lordships to consider whether there is anything unnatural or extraordinary in what took place. Whatever you may think of Mr. Bright's political opinions, no one will deny that during upwards of a quarter of a century he has exercised an immense influence on the public opinion of this country by the power of his arguments and the extraordinary force and eloquence of his language. During all that time he has been in the habit of speaking what was uppermost in his mind without any official restraint; if during the two or three months which he has been in Office—which he reluctantly accepted—he may have forgotten some of those official rules which we find convenient for the conduct of business—is he to be reproached for that? I beg to remind your Lordships of the circumstances under which this language was used. A speech had been made full of charges of a very grave character, which, in my opinion, Mr. Bright, in his reply, showed were utterly groundless. That speech was made by a noble Lord (Lord Claud Hamilton), in a tone and spirit which were condemned in "another place," and which I will only venture to characterize as quite opposed to the tone and spirit with which the speaker's elder brother sometimes, though not so frequently as we might wish, addresses your Lordships. In reply, then, to these unfounded accusations Mr. Bright rose. After what I have said, the noble Marquess can hardly expect that I should say whether the opinions expressed by Mr. Bright are entirely agreed to, or are not agreed to, by the various Members of the Cabinet. But the noble Marquess reproached Mr. Bright by saying that he had a measure to carry out. I have not the slightest doubt that the measure so alluded to was that which Mr. Bright suggested two years ago, and it is, I believe to this effect—Mr. Bright thinks it would be desirable that money should be advanced by the State to enable tenants, if their landlords are willing to sell, to purchase the fee simple of the farms they are cultivating. Now, contrast this plan with the plan of the noble Marquess and of his Colleagues in the late Government. The one is a plan for advancing money wherewith tenants may buy land which landlords are willing to sell: the other is a plan for advancing money to these same tenants to make improvements—in some cases contrary to the consent of the landlord—to be repaid to the Government by a rent-charge upon these landlords' estates. Now, I am quite free to admit that with regard to either of these plans the noble Marquess and noble Lords opposite have a right to argue on financial, on political, and on economical grounds as to their practical results, or how far the limit of Government interference should extend: but while I state positively that Lord Mayo's plan—sanctioned by the noble Marquess and the other Members of Lord Derby's Government—is open to discussion as to whether it does or does not interfere with what we understand to be the rights of property, it is just as impossible to argue that Mr. Bright's plan, whether good or bad, interferes in the slightest degree with the rights of property as understood by any one of your Lordships on the opposite side of the House. The noble Marquess asks whether this measure has been submitted to the Cabinet, whether they approve it, and whether it is substantially the plan which we shall introduce next year? I have no doubt that Mr. Bright is warmly attached to his plan, and prefers it to any other yet proposed. I have no doubt that he will try to induce us to approve any plan for the good of Ireland which he may think the best. But I also believe—for I never sat with a fairer man—that if his Colleagues can show that the plan is faulty and can suggest a better, he will be ready to consider it. I think, then, I have answered the question of the noble Marquess, whether the declarations of Mr. Bright are to be accepted as the final proposals of the Government on this question. It is not for me, in the slightest degree, to explain or defend any arguments or expressions which he may have used—I might do injustice were I to attempt to do so—but when the noble Marquess complains so bitterly that Mr. Bright has said that he thought it would be for the advantage of Ireland that more of the population should become owners of the land, and that he hoped to be able to carry out the plan, no one has a right to say he wishes to do so in a manner that would be an injustice to anyone. No one will say that Mr. Bright was the inventor of the theory which has gained such currency in England and France, as to the great advantage of the population being possessed of small properties; we have small holders of land already in France, in Belgium, and in Germany. Nor can we wonder if Mr. Bright referred in 1865, as Mr. Burke did years ago, to the action of the Penal Laws as one cause of the difficulties of the land question, and said that those abominable and outrageous Penal Laws had excluded three-fourths of the Irish people from all property in the soil. My Lords, I do not wish to allude to any particular scheme for the settlement of the land question—because I adhere entirely to the course which I have adopted, and which, to a certain degree, is approved by the noble Lord. When my noble Friend (the Marquess of Clanricarde)—the only Peer who has made definite proposals on this subject—recently introduced his Bill, I was asked to bring Amendments before your Lordships which would show the scheme of the Government measure. I declined to comply with that request, because it was absolutely without precedent that a Government should produce in one Session the scheme of a Bill which they mean to introduce only in the next Session. Such a course would be disadvantageous to them, would be discreditable to them, and would also be highly disadvantageous to the final settlement of a delicate question. At the same time I am quite ready to repeat the answers which I gave when this subject was last before your Lordships. On that occasion the noble Marquess (the Marquess of Clanricarde) described certain visionary schemes to which he hoped the Government would never assent. I gave him that assurance in the most direct and clearest manner. Another noble Lord asked whether Her Majesty's Government would do anything to subvert the rights of property. I gave a distinct answer also to that question. The noble and learned Lord opposite (Lord Cairns) asked me to declare whether, in the opinion of the Government, the rights of the landlord to his property were, or were not, identical with those of the Irish Church to its property? [Lord CAIRNS: I did not ask a question.] I understood the noble and learned Lord to express a hope that the Government would state their views on that point. At all events, I am ready to repeat that I believe there is not one Member of the Government who does not consider those rights to be of a perfectly different character. Well, then, as we appear to be in the habit of referring to what passes in "another place," I saw a Question which was asked there with singular fairness by a prominent Member of the Conservative party. He admitted that legislation this year was perfectly impossible, and he did not ask the Government to enter into any details of their scheme, but to say that, while on the one hand the claim of the tenant to compensation should be admitted and respected, so on the other hand the proprietary rights of the landlord should be firmly maintained. I am not clear that that is not a better balanced sentence than any to which the noble Marquess refers; and I have not the slightest hesitation in saying "Yes!" to that declaration, which appears to me not to go one inch further than my noble Friend the Lord Privy Seal, and other Members of the Government near me, have gone in stating their views on former occasions. I have now endeavoured to give to the House all the information which I think I am entitled to give. But I decline to give any information as to the particular character of the plan which we may hope to embody in the Bill next year—and that is the only answer I can give to the speech of the noble Marquess.

THE EARL OF CARNARVON: With every wish to make allowances for the difficulties under which the Colonial Secretary has spoken, I am at a loss to understand how he can flatter himself that the speech which he has just made is an answer to the question of my noble Friend. Your Lordships will allow me to say that I think the circumstances of the case were such as amply justified my noble Friend in bringing this question to the notice of the Government. It is beside the question for the Colonial Secretary to quote works on Parliamentary practice; for the practice of both Houses is really undeniable. Since I have had the honour of a seat here I have repeatedly heard discussions raised in this

House as to speeches in the other House; and only last year I remember the present Prime Minister in the House of Commons, speaking in very strong language, indeed, of a speech made by a noble Earl not now present (the Earl of Derby) with regard to the Suspensory Bill. May I state how this question now stands, and what are the difficulties in which we are placed? I am not one of those who have complained that the Government declined to introduce a Bill this Session on the subject of the tenure of land in Ireland. I readily recognize that, from their point of view, they would have had insurmountable difficulties to contend with in any legislation of that kind, and, though I may add that I doubt very much the wisdom of the reticence on their part in connection with the question to which allusion has been made, I do not personally complain of that reticence, because, if there was a risk that misapprehension would be caused by it on the one hand, I am bound also, in fairness, to admit that there might be a risk of misapprehension arising out of any general statement which they might make on the subject. More than that—though I regretted the course taken—I abstained from expressing any censure on the Government when they declined to take up the Bill of the noble Marquess opposite (the Marquess of Clanricarde)—a Bill which was admitted on all sides to be a good Bill, and to embody many of those principles which it would be necessary to adopt in seeking to effect a settlement of the land question in Ireland. The Government refused to take up that measure, because, as one of my noble Friends on the Treasury Bench said, it did not go far enough; and the noble and learned Lord on the Woolsack implied at the time that, although the Government were not prepared to bring forward a Bill themselves, they still had one under their consideration which they would be ready to produce when the proper time to do so had arrived. The difficulty I feel we are in after those statements — as my noble Friend near me put it just now—is that that which was refused in your Lordships' House has been promised in the other House of Parliament. What the measure is which has been promised there I will not undertake to say. The noble Earl the Secretary for the Colonies has given us his interpretation in very vague and general language of what may be the meaning of the words used by Mr. Bright. My noble Friend near me (the Marquess of Salisbury) has indicated another interpretation which may be put on those words. But what the real interpretation is does not much signify. What I complain of, and where it appears to me real mischief has been done, is that these vague and crude statements thrown out by a most eminent Member of the Government are calculated to confuse men's minds with respect to a matter in which there ought to be no shade of uncertainty—the rights of property—and the rights of property in a country which is, at this moment, agitated by the wildest and vaguest illusions on the subject. I am not one ever to argue in favour of straining the rights of property. I know very well that all rights must be tempered by good sense and good feeling, and bounded by moral considerations. I know that any rights, no matter to whom they belong, if pushed to their logical and extreme conclusion, will end in failure and disappointment. I admit, further, that the condition of English and Irish tenants is not in all respects analogous. It is quite possible that many of the evils in the condition of Ireland arise out of the unhappy relations which subsist in some cases between landlord and tenant in that country, partly from the want of capital, partly from absenteeism, and partly from other causes to which it is unnecessary more particularly to allude. I, for one—and I may, I think, say the same for the vast majority of your Lordships—would be glad to accept any measure dealing with this question which was framed in a reasonable and liberal spirit, and which, at the same time, kept strictly within the bounds of what is just. I should be perfectly willing to argue fairly and openly the question of compensation; but there is a wide difference between compensation laid down and defined by an Act of Parliament, and anything that would approximate to a forcible setting aside of the established rules of law. I do not say that principles which may be applied in Ireland are of necessity applicable in England, because I might be supposed to be addressing to the House a selfish argument; but I will venture to say that the principles which any Government applies to the large landowners in Ireland are equally applicable to every small owner and occupier in this country; and, moreover, that any principles which you may apply to the case of the land in Ireland will be found to be applicable to every other class of property in the United Kingdom. When men's passions are heated, and such questions as these are brought into debate—when, above all, vague illusions pervade the public mind—then the subtle distinctions drawn by lawyers between one class of property and another are swept away out of the domain of practical politics, and you are brought face to face with a very awkward state of things. Depend upon it, every class of people is equally concerned in seeing that the laws of property — as generally accepted — are rigidly adhered to. It is a matter in which every depositor in a savings bank, every holder of Government stock, every one possessed of property in any form or degree is concerned. Why do I make these observations? In many cases I frankly admit these observations would be out of place; but, unfortunately, the case of Ireland is an exception to that rule. There I admit there are great difficulties to contend with. You have, unfortunately, something like a Reign of Terror established in that country. At the present moment men are shot down there, not only because they happen to possess property, but, perhaps, because of the use of a hard word or an unkind expression, or, it may be, for turning a labourer out of his employment. How all this has come to pass I do not think it necessary to inquire. Those public men, in my opinion, have to answer for a great deal who have made speeches inciting almost directly to outrage, who have extenuated the outrage when committed, or who have insinuated that the whole cause of the offence rests with the landlords in Ireland. I do not, I may add, wish to go out of the way to find fault with the Government because they released a short time ago the Fenian convicts. I think they must now feel that the clemency which they advised the Crown to exercise has not been understood in its proper light by a large portion of the population in Ireland, and that it is certainly not understood by a class of men who are just now the pillars of our existence in that country—I mean the Irish constabulary. The position in which they have been placed by the act of the Government is, I think, singularly unfortunate, because they must feel that those criminals whom it cost them so much labour and so much risk to bring to justice are once more let loose upon the country, to the danger of their lives. Hence the opinion, I am afraid, prevails that the Government are not prepared to punish effectively and severely the commission of offences against the law, and—although I give them credit for being actuated by the best intentions —they sympathize with the wild and vague notions which exist in Ireland as to the possession of the land. This I look upon as being a most dangerous state of things to exist, and I own it was with regret that I did not hear from my noble Friend opposite (Earl Granville) a fuller and ampler statement of the policy of the Government, which would have the effect of crushing such views as those to which I refer. I quite admit the necessity of having remedial measures applied to Ireland, provided always that the law is first enforced and the open defiance of it suppressed. I readily admit all the difficulties under which any Government must labour in dealing with this subject, and I can assure Her Majesty's present Advisers that they will find in me, at least, a hearty supporter if they will grapple with this question and endeavour to meet a difficulty which day by day grows more serious, and which, I am sorry to say, the speech of my noble Friend opposite has certainly not tended to lessen.

Lord CAIRNS: I cannot let this discussion close without calling your Lordships' attention for a few moments to a question which has been raised by the noble Earl the Secretary for the Colonies, and which is of considerable importance both as regards the subject under discussion and the general position of your Lordships' House. I am perfectly prepared to admit that I believe no rule to be more wholesome, so far as the relative position of the two Houses of Parliament is concerned, than that to which the noble Earl has alluded. That rule I understand to be simply this,—that we are not in this House to refer to speeches which may have been made in the other House merely as speeches, for the purpose of answering them, or of replying to an attack which any of your

Lordships may conceive has been made on himself. That rule, I believe, obtains in this House, and I believe in the other House also; and it is, in my opinion, a most excellent and salutary rule. But there is another rule which, so long as I have known anything of the proceedings of Parliament, has, I believe, obtained with equal certainty; and that is, that the Members of the Government being devided between the two Houses—some of its Members sitting in one House and some in the other—there exists that degree of responsibility and partnership among them as a whole, that if, either in the one House or the other, a declaration is made which is intended to be or savours of being a declaration of the policy of the Government, to any question regarding that policy all its Members are bound to answer, whether called upon to do so in the House in which the declaration is made, or in the other House of Parliament. I believe your Lordships will find that not a year has elapsed within living memory in which that rule has not been acted upon. I have myself known it to be acted upon during the whole time that I have had the honour to have a seat in Parliament, and I believe it to be a rule which is vital to the existence and good conduct of the Government of this country. My Lords, I am free to admit that it is a disagreeable rule. I am quite free to admit that if you happen to have in the Government a Colleague who, however able he may be, is, as the noble Earl very frankly said, a statesman who has only been in Office for two or three months, and who is prone to be somewhat frank and indiscreet, it is a rule —

EARL GRANVILLE: I beg your pardon. I did not say that.

LORD CAIRNS: Then I am to understand that the noble Earl considers his Colleague to be not frank and indiscreet, but reticent and discreet. But, my Lords, be that as it may, it is a rule which may be disagreeable, but, at the same time, it is a rule, the non-existence of which, would perfectly paralyze the action of your Lordships' House. The greatest confusion would be caused, if a Minister could rise in his place in this House and say that on a particular subject the Government had not a policy, or were not prepared to declare their policy this year; while, in the other House, or even out of Parliament, another Minister of the Crown may rise and say—"We have a policy; we are prepared to propose a measure on this subject, and all that has taken place 'elsewhere' must be passed by unnoticed." Allow me to point out some degree of advantage which occasionally arises from comments or declarations in your Lordships' House on statements made "elsewhere." A few nights ago, when your Lordships were occupied with a conversation on this very important question of the legislation as to land in Ireland, remarks were made in this House, as to declarations on the part of Members of the Government, which appeared to be of such a character as might lead to misunderstanding in Ireland. Remarks were made in this House as to some expressions which were said to have fallen on this subject from the Home Secretary at his election, and from the Prime Minister when the right hon. Gentleman was addressing his constituents on the eve of his re-election. I felt surprised when, some nights afterwards, the noble Earl (Earl Granville) rose in his place and, no doubt, after consultation with his Colleagues, said that no such remarks had ever been made by those right hon. Gentlemen. I took the opportunity of saying that I thought that circumstance showed the advantage of explaining frankly what had been reported in the usual channels of information, and that we were now prepared to accept the repudiation of those words having been uttered by Ministers of the Crown. If I am not mistaken, however, the phrases which the noble Earl used on that occasion were quoted elsewhere, and these right hon. Gentlemen were taxed with having used the expressions originally ascribed to them. The paragraphs which had been read in your Lordships' House were also read in "another place;" and the attention of the first of these right hon. Gentlemen (Mr. Bruce) was called to the fact that some question had been raised in this House as to the use of the words by him. The right hon. Gentleman remained silent, however, and uttered no repudiation of the words. But with regard to the words which the noble Earl said were not used by the Prime Minister, what did the right hon. Gentleman do? Rising in his place, he admitted having used the words, adding that he was prepared to justify them, and that he had said the same thing in other terms on several previous occasions. Now, if we were to shut ourselves up within the impenetrable wall with which the noble Earl would have us enclose ourselves, and if we were to take no notice of anything which passes in the world around us, every one of your Lordships would be under the impression that the denial which the noble Earl was authorized to give to these expressions of opinion by two Members of the Government was a denial that was still adhered to by the persons who were said to have used the words. I think, therefore, that without violating any rule of debate or any practice of your Lordships' House, we may gain advantage by sometimes taking notice of striking observations made in the House of Commons. In reference to the particular point urged by the noble Earl opposite, I would ask your Lordships to consider this. I agree with every word which the noble Earl said as to the ability of the President of the Board of Trade, and as to his eloquence and the influence which he exercises, and has long exercised, in this country. But these considerations are precisely the considerations which render more dangerous every declaration and opinion which comes from a Member of the Government of whom all this may be said. Without adverting, just at this moment, to the character of the declarations made by the right hon. Gentleman, I want your Lordships to be so good as to try the effect of these declarations by this very simple test—what is the effect which these declarations have produced in Ireland? I have not the papers here, but none of your Lordships could have taken up any of those newspapers which circulate among the tenantry in Ireland without being struck with the fact that in the largest type permitted in publications of that kind the tenantry of Ireland are informed of the glorious declarations made by Mr. Bright and Mr. Gladstone—that the people of Ireland were to be put in large numbers in possession of their own land. And I recollect also that a public meeting was thereupon held at one place where these declarations were treated as promises on the part of the Government, a resolution being passed stating that the meeting had perfect confidence in the pledges thus given by Mr. Gladstone and Mr. Bright on behalf of the Government. Were these people justified or not in drawing such conclusions from the language which had been made use of, and was that language merely an expression of the opinion of one individual? It may be brought to that now, and the Government may repudiate the expressions which were used; but they were in reality of such a character that by no possible construction can they be said to be merely the expression of one individual's opinion. Reference has been made to a certain letter, written in 1866, which, if the matter had stopped there, ought never to have been made public or charged against any public man; and I should not now have referred to it had not the writer repeated and justified the statements it contained. Mr. Bright said—

> "To the main argument of that letter I adhere. I say that the condition of things in Ireland which has existed for the last 200 years, for the last 100 years, for the last fifty years, would have been utterly impossible if Ireland had been removed from the shelter and the influence and the power of Great Britain."

Now, my Lords, observe what follows, and say whether it be an expression of the opinion of a single individual—

> "I repeat that if Ireland were unmoored from her fastenings in the deep and floated 2,000 miles to the westward, those things that we propose to do, and which in all probability may be offered to the House in the next Session, would have been done by the people of Ireland themselves, and that if they had become a State of the American Republic, under the condition of that country, those things would have been done."

Mr. Bright, you may observe, does not usually speak of himself in the plural. This, then, is the first declaration which goes over to Ireland. But we have also an indication of the nature of the measures referred to, for Mr. Bright went on—

> "The time is come when acts of constant repression are unjust and evil, and no more acts of repression ought ever to pass this House, unless attended with acts of remedial and consoling nature."

And now comes the climax. It is a declaration which, considering it proceeded from a statesman looking to future responsibility, surpasses everything I ever knew to be uttered in Parliament. Mr. Bright said—

> "There can be no peace in that country till the population by some means or other—I am prepared to propose a means, and I believe it can be done without injustice to any man—are put in possession, in greater numbers than they are now, of the soil of their own country."

Now, my Lords, is it possible for any person reading these two sentences not to couple the one with the other? Now, observe the consequences of the latter statement. Some suggestion has been made as to the means by which this operation could be performed—the purchase of land at an extravagant price, or by compulsion, for the purpose of selling it to the tenantry. Now every one will, I think, see that it is not utterly impossible that land may be bought and afterwards re-sold to the tenants or other persons—that is a practicable operation under certain conditions—but the whole question is whether you can conduct an operation of that kind over the whole of Ireland, and whether any means can be suggested to conduct the operation without getting into the dilemma which the noble Marquess (the Marquess of Salisbury) pointed out, of either offering a price so high as to bribe the landlords to sell their land—a price so high that the tax-payers of the country will not give it—or else offering a price so low that no landlord will sell his land for it. I ask your Lordships, was it wise—was it statesmanlike—to make this declaration in the face of the people of Ireland, difficult as the subject is, and impossible as it may be when considered—"Yet I am prepared to affirm in Parliament, to the Government, to the House of Commons, that there can be no peace in Ireland till this is done?" And is that all? I will ask your Lordships to consider the ending of the same speech, and to consider whether it is possible for persons in Ireland to read it otherwise than as a declaration of the policy of the Government. How does the speech go on?—

> "I have stated before in this House and elsewhere that there is no proposal whatsoever with regard to the land of Ireland that I could not support if I were myself an Irish landowner that shall have any sanction from me. I believe the policy of our law with regard to land in Ireland has been destructive and fatal to the true interests of the landlords. Your present condition shows it. It would have been better for you fifty years ago to have lost half of your estates, if by that means you could have given content to the people and security to the remaining half."

I have read that in fairness to Mr. Bright; and let me ask your Lordships' particular attention to the manner in which the speech winds up—

> "I will trust to the absence of passion and of party feeling in Gentlemen opposite, and hope they will judge us fairly; and I believe that they who live twenty years to come to look back to the policy of this Government with regard to this great question will say we acted not only according to our light in this matter, aud with the most honest intention, but we acted with a wisdom which all that has succeeded has demonstrated to be political wisdom of a high order in connection with this question."

Now, if this had been the announcement of a policy completely settled and agreed upon in the Cabinet, I ask whether it could have been made in any words more distinct than those? In effect he says—"There is something which in all probability will be done next year; I am prepared with the means of doing it; no peace can be attained in Ireland till it is done; the thing to be done is to place the people in possession of the land; and I believe when you come to look back twenty years hence to what we have done, you will think that we have acted with political wisdom of the highest order." Is it wonderful, then, that people in Ireland are at this moment under the conviction that this is the policy of the Government? I ask you whether anything has fallen from the noble Earl to-night which will undeceive the people of Ireland on this subject? And further, I ask you to consider what we see in some of the newspapers, in which we find a triumphant account of the manner in which these declarations were received in that country. Why, I find that in one large town of Ireland—not in one of the counties which have been so much disturbed during the last few weeks—an arrest of a person has been made on a charge of possessing Fenian documents of a novel and somewhat alarming kind; and we are told that in the broad light of day men with arms in their hands rescued the accused from the custody of the police. I find that in the North of Ireland, in a city still larger and more populous, an inroad was made, also in the broad light of day, into a repository of arms, and a quantity of arms, worth about £100, was abstracted. I think, therefore, that my noble Friend was quite justified in bringing this subject before your Lordships, and I only wish I could add that his object in doing so had been more completely attained, by a more distinct disavowal on the part of the Government of declarations so likely to be disastrous in their results.

THE EARL OF KIMBERLEY: The noble and learned Lord has concluded his remarks by expressing his regret that my noble Friend (Earl Granville), in answering the speech of the noble Marquess, did not give a more complete disavowal of the statements to which he referred. Now, the noble Marquess said that he would put my noble Friend in the confessional, and induce him to disavow those statements on the part of the Government. But, when he said that, I own it occurred to me that if my noble Friend confessed to the noble Marquess he was not likely to get absolution. Does not the language held by noble Lords to-night with regard to former declarations from the Government all tend to prove that these repeated demands made upon the Government for general disavowals of some vague evils which it is assumed will follow from some imagined policy, can only produce disavowals which, in whatever form they may be expressed, must necessarily utterly fail to satisfy noble Lords opposite? I think that conclusion might be fairly gathered from what has occurred this evening, and if my noble Friends follow my advice they will decline altogether to make such disavowals as are thus asked from them. Such a course could not possibly lead to any useful result. It will not be unfair if I suppose that these repeated attempts to bring on a discussion upon what is termed the Irish land question do not proceed from any desire merely to embarrass Her Majesty's Government; for the question is much too grave for me to suppose that that can be the only motive which actuates noble Lords. It must rather be taken that they proceed from a real and sincere desire to put an end to the agitation and uncertainty which is said to prevail in Ireland on this subject. ["Hear!"] Yes; but I venture to ask the House very confidently whether the course which noble Lords are pursuing is the course best calculated to attain the end they profess to wish for? The course which noble Lords opposite have pursued to-night was, first of all, to make a statement of what was said by Mr. Bright in the other House of Parliament; and then to follow that up by asking whether Her Majesty's Government adhere to that statement as a statement of policy which the Government had determined upon? And, then, after my noble Friend had distinctly told the House that what Mr. Bright referred to was a plan perfectly well known to Parliament and the public, the noble and learned Lord (Lord Cairns) piecing together with great skill various speeches of Mr. Bright, inferred that it was impossible, if that were his plan, but that there was some dark design behind—some dark conspiracy promoted by Mr. Bright against the rights of property and calculated to stir up and encourage a lawless spirit among the people of Ireland. My Lords, it is quite a fair thing to ask Her Majesty's Government whether they are prepared this Session to bring forward a measure on the subject of the land question; but after we have distinctly stated that we shall not this Session bring in such a measure, unless you are to have a change of Ministry and re-place the present occupants of Office by other men, the only result of discussions like that of to-night must be to aggravate the state of things in Ireland which we all deplore and all wish to see terminated. I do not know that I have anything more to add to what my noble Friend has said. That I have risen on this occasion is merely with the view of pointing out that the reception given by noble Lords opposite to the disavowals and the declarations already made on the part of the Government is not encouraging to us to proceed any further in that direction; and I appeal to the House whether I have not intimated reasons which would induce all who have the patriotic wish to see Irish affairs assume an aspect of greater tranquillity and greater satisfaction to the Irish people to desire that these discussions should not be further prolonged.

THE MARQUESS OF CLANRICARDE said, there was one important point which his noble Friend (Earl Granville) had not touched upon, or, at least, had not treated with the fulness that might have been wished. Although he seemed to speak of Mr. Bright's plan as one which undoubtedly had not been accepted by the Cabinet and as one that was not likely to be so accepted, still he spoke of the object of creating a peasant proprietary in Ireland as being desirable. Now they knew that in foreign countries where the experiment of creating a peasant proprietary of the soil had been tried, it had worked most injuriously as regards extensive land improvements. In his opinion the noble Marquess (the Marquess of Salisbury), instead of being open to censure, was entitled to the thanks of every Irishman for bringing the question before their Lordships. That night's discussion might be of considerable use in quieting or enlightening the minds of those persons in Ireland who were cherishing the wild idea that the Government were about to propose a scheme by which the Irish tenantry were to be put in possession of the lands they now occupied. No reasonable Irishman — and there were many more persons of that class than some people supposed—would approve such schemes. They had read in the papers to-day of the robbery of arms in one case, and in another of the rescue of a prisoner by the mob in the open day. Such a state of things was truly lamentable, and they were in this extraordinary position, that upon present occasions it was independent persons who endeavoured to excite the Government to take proper measures, whereas upon other occasions it was the Government that had to apologize for extra-constitutional steps which they thought it necessary to take for the maintenance of law and order.

EARL GREY: My Lords, I am bound to say I agree to a great extent with my noble Friend the Lord Privy Seal. I do not see how a declaration could be clearer or more explicit than that which, so far as the principle was concerned, my noble Friend the Secretary for the Colonies has already enunciated. But this is just one of these subjects on which general declarations are literally worthless. They mean nothing; you can put any interpretation you please upon them when you come to discuss the matter. It is measures, and measures only, which will settle this question. My Lords, I am not going again to argue the point, but in spite of the high authority of my noble Friend the noble Marquess (the Marquess of Salisbury), and other persons of great weight, who declared that legislation on this subject was this year impracticable, I still think it was quite within the power of Her Majesty's Government to have settled this question in the present Session in the only way in which it can be settled—by legislation. But I am willing to assume that Her Majesty's Government are right, and that it was impracticable to legislate. Then, I say, it was a duty—a most solemn duty — upon them collectively and individually to be most cautious in the language they use upon a subject so exciting in Ireland—a subject which has roused the very fiercest passions among the peasantry. I say upon a subject of that kind it was their duty, if they did not contemplate immediate legislation, to abstain from language which was capable of being misunderstood. I think the result of this discussion must be to convince every man that not only during the late elections, when the responsibilities of coming Office were nearly on their shoulders, many of Her Majesty's Government have been proved to have used language of an exceedingly imprudent character; and that the language which has been referred to to-night, and which I will not pretend to quote, was most unfortunate, to say the least. It is in vain to say that this language merely referred to a plan of selling property in Ireland in small portions. That is not the interpretation which has been put upon it by the advocates of tenant-right in Ireland. Let me remind your Lordships that in the Committee two years ago, when the principal Parliamentary advocate of these views was examined as to the effect of selling property in small lots in the Incumbered Estates Court, of the necessity which had been imposed upon the old proprietors of selling their land, and the bringing in of a new description of proprietors instead, he said "it was getting out of the frying-pan into the fire"—that was the phrase he used—and that the persons who bought this property in small lots were speculators, that they generally acted with great harshness towards the tenants, and were infinitely worse than the former proprietors. Is it right, then, my Lords, that we should have brought Ireland into this position, that the population should have been taught to look for some great change with respect to the tenure of land, something that will meet the wild wishes that they have been led to entertain, and that any attempt to settle the question authoritatively should have been deferred? My Lords, I was particularly struck by an observation which my noble Friend the Secretary for the Colonies made on this subject on a former evening. He told us that the first effect of any reasonable measure would be to increase the agitation and discontent which exist. My Lords, I am afraid that is a true account of the probable result of any just and reasonable measure.

But what is the inference to be drawn from my noble Friend's own argument? Is it not that the longer the question is deferred the greater is the discontent that will be produced, and the greater the danger that a state of feeling will be aroused which no just and reasonable measure will have the effect of satisfying? We have been told that the present state of things has actually paralyzed the course of business with regard to land in Ireland; that sales of land, or loans upon the security of land, have become almost impracticable, and that even the levying of rents is almost impossible. Well, my Lords, if that be the case, I do not think that any reasonable man, looking to what the conduct of Her Majesty's Government has been, can deny that no small share of the responsibility must be considered to rest upon them.

The LORD CHANCELLOR: I will detain your Lordships only a short time by making a very few remarks on the course of this debate. The first question I asked myself, as I listened to the discussion, was what good could possibly result from it? The charity of my noble Friend the Lord Privy Seal has suggested that the motive for the discussion might be a desire and anxiety to tranquillize Ireland; but at the same time he asked the very obvious question,—"Is this the course that will probably lead to that result?" Fault has been found with my noble Friend the Secretary for the Colonies because he has referred to the rules of debate, and has pointed out the inconvenience resulting from a departure from the rule that speeches made in one House of Parliament shall not be referred to in discussion in the other House. The rule is a very fair and proper one; for, if any Member of Parliament wishes to ask for an explanation with respect to anything another Member may have said, the House in which to put the question is that in which the statement was delivered. Reference has been made in the course of this discussion to observations which fell not only from Mr. Bright, but also from the Prime Minister. Now, I can easily understand that those are two Gentlemen from whom it might be inconvenient to ask for an explanation, if explanation were not really what was wanted; but if explanation were really desired they were the proper persons from whom it should be demanded. If you want to ask for an explanation from the Government, what better place is there than where the Prime Minister is, and where the Gentleman also is whose observations are impugned? Now, I protest against the course which I am sorry to have seen my noble and learned Friend (Lord Cairns) follow on more than one occasion—of diving into newspapers for his facts—for instance, the *Cambrian Daily Leader* the other evening—a paper which I confess I have never seen. And now he tells us to-night that in another paper—the name of which he has not given, but I suppose it is an Irish paper—the speeches of Mr. Bright and the Prime Minister are said to have been hailed with delight at a meeting which I suppose was of a seditious character. Well, for my part, I have not the leisure nor the taste for reading those papers. I confine myself to those of the metropolis, and do not think it necessary to go to the *Cambrian Daily Leader*, or to whatever papers may be circulated in Ireland. Now, it appears to me that it is not for us to busy ourselves with what has been said in one place and what in another, and what constructions some ill-disposed persons may be inclined to put upon such statements; but I think my noble and learned Friend himself has shown conclusively that the right place to ask a question is where it can be answered:—because, what has he told us to-night? He told us that when Mr. Gladstone and the Home Secretary were asked what they had said upon one occasion, they gave a clear answer, and so removed some misconceptions which had prevailed with respect to the language they had used.

LORD CAIRNS said, what he had stated was that while one right hon. Gentleman (Mr. Bruce) gave no denial of what was imputed to him, the other (Mr. Gladstone) admitted that he had used the language attributed to him, and that the denial in this House was not correct.

THE LORD CHANCELLOR: Well, that very fact shows that, as I am contending, the proper place to ask for an explanation is the House in which the Member who used the language is sitting. I ask in solemn seriousness whether it is worthy of this House to enter into the discussion of topics of this character—I might almost say of this personal character. The noble Marquess who introduced the subject could never have imagined or believed that Mr. Bright's policy in respect to the land had been deliberated upon by the Cabinet. He could not have done so. I am not learned in these newspaper controversies; but, as far as I have been able to gather the facts, Mr. Bright merely stated that he had said elsewhere such and such a thing in respect to the land, and he was only repeating what he had said elsewhere before he was a Member of the Government; and he added that he had a scheme for settling the land question which he would be willing to communicate to all those interested in the matter. The noble Marquess no doubt wishes to play the Grand Inquisitor by placing the noble Earl (Earl Granville) in the confessional; but it is allowed to everyone to choose his own confessor, and I presume the noble Earl would not have chosen the noble Marquess, unless it were under the seal of secresy. I implore your Lordships to consider whether debates, such as we have listened to this evening, can really serve the purpose of tranquillizing Ireland. Here we have noble Lords on the other side saying to the people of that country—"You have a Government who will not pledge themselves not to introduce measures affecting property—a Government which will not itself say what it intends to do with the land question, but which allows a Member of the Cabinet to say that he has a measure for putting the people of Ireland in possession of the soil." And the people are told—"Never mind what others say; the Government won't give an explicit answer." Now, what is the inference to be drawn from that? Why that, in the opinion of the noble Lords on the opposite Benches, this land question ought to be settled either by the plan of that individual Member or some other. Therefore the noble Lords are in reality stimulating that very agitation which they profess to desire to see repressed. What are all these questions and debates upon this subject? They are but the preliminary skirmishes—what the Irish call the faction fights—previous to the general engagement. All I shall say in addition is this—that I believe that when the right time comes all the Members of Her Majesty's Government will be prepared to state their views upon the land question, and I shall be mistaken if anything is said upon that occasion that will make the owners of property in any way tremble for their rights.

THE DUKE OF RICHMOND: I should not, my Lords, have risen to take any part in this discussion had it not been for the remarks which have just fallen from the noble and learned Lord on the Woolsack. I beg on the part of the noble Lords who sit on this side of the House to repudiate, in the most distinct terms, the charge which the noble and learned Lord has brought against us. I venture to say that nothing has been said in the course of the remarks, either of the noble Marquess or of the noble Earl who followed him, to justify the noble and learned Lord on the Woolsack in his assertion that the question asked by the noble Marquess on this side has anything whatever to do with that of the Irish Church Bill now before Parliament. It is all very well for the noble and learned Lord to say that this is a "faction fight," preliminary to the general engagement after the holidays; but I repeat that nothing whatever has been said on this side which gives him the title or the right to make such a remark. The noble and learned Lord has told us that he has not time to read all the newspapers which my noble and learned Friend (Lord Cairns) has referred to, and I believe that he has not, considering the onerous nature of the duties which he discharges; but he should remember that though he may not have time, there are others who may have, and that it is not a thing to be ashamed of, that of consulting the usual channels of public information and quoting them in this House. I presume my noble Friend the Foreign Secretary will hardly assert that he never consults the newspapers to see what is going on outside the House, and if noble Lords opposite do not do so they are neglecting to avail themselves of a privilege which they have often boasted of having placed within reach of their countrymen at large by measures resulting in the marvellous cheapness in the price of newspapers. The noble and learned Lord is of opinion that your Lordships ought to confine yourself to the discussion of topics which arise in this House. I beg to take exception to that doctrine. We have not seats in the other House of Parliament, and subjects of a personal nature are often discussed there upon which noble Lords may find it necessary to ask questions in this place and to get information—there are often no other means at the command of your Lordships of arriving at the truth. There is one other point. The noble Earl the Secretary for the Colonies has assumed that the noble Marquess (the Marquess of Salisbury) has quoted a portion of Mr. Bright's speech from a newspaper; but there is no evidence whatever entitling him to say it was from a newspaper; and having listened attentively to all that has fallen from the noble Marquess I can state, without fear of contradiction, that the noble Marquess based his comments simply upon what Mr. Bright "was reported to have said." That was surely a fair and proper way of raising the question.

THE EARL OF FEVERSHAM: The question which has been debated to-night is one of very great importance—one, I may say as important as any that can be propounded in Parliament and is much superior to the flippant manner in which it has been met by the Members of Her Majesty's Government. The question raised by the noble Marquess is one that has peculiar significance at present, for we have seen Her Majesty's Government propounding a Bill which is based upon the principle of confiscation, and one which plunders wholesale the revenues of the Church of Ireland. The conciliation of Ireland has been put forward as the excuse for that policy. But let me ask, has that been realized? I have no hesitation in saying that, so far from conciliating the people of Ireland, it is making enemies of the Protestant population of that country, upon whom we could formerly most depend. Discontent, instead of decreasing, has increased ten-fold. And when we ask that some declaration of their views respecting the land question should be made by the Government to allay this discontent, the representatives of the Government in this House give us no information, but it is left to a Member of the Cabinet in the other House to explain his individual views upon the matter. In this House all our attempts to obtain information are met with the vaguest generalities. I say therefore that the question which has been raised is a great question of State policy, and deserves to be treated rather more seriously than it has been treated to-night. The state of Ireland at present is such as should occupy the serious attention both of Parliament and Government. I hope that the Government will adopt some policy which will be more likely to conciliate the people of Ireland, more likely to establish respect for the law, peace, and security than the declarations we have heard to-night are likely to do.

House adjourned at a quarter past Eight o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 7th May, 1869.

MINUTES.]—PUBLIC BILL—*Committee—Report*—Irish Church [27-112].

The House met at Two of the clock.

ARMY—CASE OF ENSIGN WIGHTMAN.

QUESTION.

MAJOR DICKSON said, he would beg to ask the Secretary of State for War, Whether his attention has been called to the case of Mr. James William Wightman, late Ensign in the Military Train, and one of the few survivors of the Balaclava Charge; and, whether Mr. Wightman will be allowed the price of his Commission, in accordance with the recommendation of the authorities of the Horse Guards?

MR. CARDWELL said, in reply, that Mr. Wightman was appointed to the Military Train after its conversion to a non-purchase corps, and the money for his commission was paid into the reserve fund. Mr. Wightman was afterwards called upon to resign his commission in the Military Train, and that commission not being saleable there was, of course, no purchase money for him to receive.

MAJOR DICKSON said, he wished to know, whether the right hon. Gentleman would consider the case further, so that Mr. Wightman might receive that pension to which he would have been entitled if he had not been promoted to be a commissioned officer?

MR. CARDWELL: If any application is made officially it will receive careful consideration.

ARMY—THE HALF-PAY LIST—CASE OF CAPTAIN RINTOUL.—QUESTIONS.

Mr. STACPOOLE said, he would beg to ask the Secretary of State for War, Why Officers of the Army on the Retired Half-pay List are not paid monthly, in the same manner as all Officers on the Staff of the Army, who have been paid on that system since the 1st of October 1867, instead of quarterly, and a week in arrear, by which arrangement the former are deprived of the full benefit of the incomes upon which they are dependent? He would also beg to ask, If a Correspondence be authentic which appeared in the *Army and Navy Gazette* of March 28th, 1868, between General Forster, Military Secretary, and Captain Rintoul, half pay, in which General Forster threatened Captain Rintoul with restoration to full pay, as a preliminary to his trial by Court Martial, for writing certain letters assumed to have been written by him while on half pay; if the course thus threatened is illegal; and, if not, whether any steps have been since taken to investigate the matters forming the subject of the Correspondence?

Mr. CARDWELL, in reply, said, he believed the first Question of the hon. Member related to a matter which was rather for the consideration of the Treasury than the War Department; but the reason why the concession had not been made was the additional labour and the number of clerks that would be required at the Pay Office. The correspondence as to Captain Rintoul was authentic. The opinion of the late Judge Advocate had been obtained on the 23rd of July, 1867, to the effect that he could not recommend the course suggested, and, so far as he knew, the case had never since been brought forward officially.

SCOTLAND—INCOME TAX.—QUESTION.

Sir JAMES ELPHINSTONE said, he would beg to ask Mr. Chancellor of the Exchequer, If he has received a Memorial from all the Scottish Banks and Insurance Companies and professional gentleman in Edinburgh, requesting him to make the Income Tax run as from the 15th of May to 15th of May, as all interest, annuities, rents, &c., are paid at that term; and if he will grant their prayer?

The CHANCELLOR of the EXCHEQUER said, he had not received any such Memorial. When he did he would give it his careful consideration.

IRELAND—LONDONDERRY RIOTS.

QUESTION.

Lord GEORGE HAMILTON said, he wished to ask the Chief Secretary for Ireland, If it is true, with regard to the recent Londonderry riots, that only that limited portion of the borough which is defined by the Act 3 & 4 Vict., c. 108, has been placed under the operations of the Peace Preservation Act; and, if so, the reasons of the Irish Government in exempting from proclamation the remaining portion of the borough, as it exists at present, in which it is believed that the head-quarters of one of the late riotous parties are situated?

Mr. CHICHESTER FORTESCUE: Sir, in answer to the noble Lord I have to state that this was the effect of the first proclamation. I am sorry to say that it arose from an error—a pure mistake. I have taken steps to issue an amended proclamation, which I have directed to be issued, and which will include the whole of the present borough.

IRISH CHURCH BILL—[Bill 27.]

(*Mr. Dodson, Mr. Gladstone, Mr. John Bright, Mr. Chichester Fortescue, Mr. Attorney General for Ireland.*)

COMMITTEE. [*Progress 6th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 58 (Regulation as to vacancies).

Mr. CHARLEY moved the omission of the words "but no" in the second sub-section of this clause, and the substitution of the words "and every;" and also the omission of the words "be summoned to or be qualified to sit in the House of Lords and he shall." The Notice he had placed upon the Paper was the necessary supplement to the Amendment which he had moved in the 13th clause, his object being to preserve the seats of the Bishops appointed between the passing of the Bill and the 1st day of January, 1871. The nature of his Amendment on the 13th clause was not fully understood. If his Amendment upon that clause had been carried, the Spiritual Peerage of Ireland would have been maintained intact; not merely the seats of the present Irish Spiritual Peers. He had put a question, respecting the 62nd clause, which had not been answered. It declared that the Act of Union between England and Ireland should not be affected by the Bill "except in so far as related to the union of the Churches of England and Ireland." Now the meaning of this clearly was, "except in so far as relates to the 5th Article of the Act of Union." The Spiritual Peerage, however, did not fall under the 5th Article, but under the 4th Article of the Act of Union. The 62nd clause, therefore, did not cover the abolition of the Spiritual Peerage. The House of Lords was the only place where questions relating to the Spiritual Peerage ought to be entertained and decided; and he contended that the House of Commons had no more right to originate a measure for the abolition of the Spiritual Peerage than the House of Lords had to originate one for the abolition of county Members in the House of Commons. There was another question which he should like to ask, and that was, how did the Government propose to supply the place of the four Spiritual Peers from Ireland who were affected by the clause? It was surely unjust to deprive Ireland of the representation which she at present enjoyed in the persons of those Spiritual Peers. Was it intended in the Bill now before the other House to include Bishops from Ireland amongst the various classes to whom life peerages were to be extended? The Spiritual Peerage of Ireland had existed ever since the conquest of Ireland, and it was not merely revolution, but absolute destruction of the Constitution, to abolish it. With regard to the present clause, the proposition was that between the passing of the Bill and the 1st of January, 1871, the Crown should have power to appoint Irish Bishops and Archbishops, but that no Irish Bishop should sit in the House of Lords. The effect would be to accelerate the period of disestablishment as far as the Spiritual Peers were concerned. He trusted the Government would adopt the Amendment which he now proposed; but if they refused to do so he would propose it on the Report; and its refusal would furnish an additional reason to the House of Lords for adopting the course which a noble Duke had tersely described as "kicking out this most iniquitous Bill."

Mr. GLADSTONE said, he would not attempt to imitate or rival the felicitous language used by the hon. Gentleman at the close of his speech, and said to be derived from ducal authority; but as the hon. Member had intimated his intention to revive the subject on the Report, he would answer the question which had been put, and which he was not aware had remained unanswered. It was perhaps irregular to discuss at that moment the wording of Clause 62; but he had no objection to state that when it was reached there would be no objection to introduce words rendering its meaning perfectly clear. The question of abolishing the Spiritual Peerage of Ireland had been very fully considered upon former clauses, and there seemed to be in the House a very general concurrence of opinion that the cessation of a Spiritual Peerage was a necessary consequence of the great change effected by the Bill. After refusing the Peerage to existing Bishops who had enjoyed the privilege hitherto, it would be futile to revive the discussion in connection with the Bishops who would take no freehold interest at all, having neither barony nor tenure. They would be simply Bishops appointed at certain salaries, in order that there might be no bishoprics vacant in the Church at the period of its re-organization; but as far as the State was concerned they would have no recognized position whatever.

Amendment *negatived.*

Mr. GLADSTONE said, he rose to propose an Amendment, having for its object to protect the interests of those clergymen who might be desirous of accepting appointments between the passing of the Bill and the 1st of January, 1871. There was a clause providing that by taking such appointments, no new rights to compensation should be acquired: but, obviously, persons accepting such appointments, ought not thereby to lose any claims to compensation which they previously enjoyed. He begged to move, in page 25, line 32, after "Act," to insert—

"Provided always, That if the holder of any archbishopric, bishopric, benefice, or cathedral preferments be appointed to fill a vacancy in any other archbishopric, bishopric, benefice, or other cathedral preferments, such person notwithstanding such appointment shall still have and retain all such life estate or interest, and all the rights and privileges to which he would have been entitled, if he had not accepted such appointment."

Amendment *agreed to.*

Mr. BAGWELL said, the stage of the Bill had now been reached when they were about to provide for the future government of the Disestablished Church, which he, for one, held so dear. Hitherto it was impossible for any person holding the views which he entertained to give expression to them without laying himself open to a good deal of misrepresentation and misconstruction, but he might now be allowed to state his opinion. After nearly forty years' knowledge of Ireland it was his full conviction that the great Episcopal Church of Ireland, as an Episcopal Church, would wholly cease to exist. That was an idea which, no doubt, was very unpalatable to Gentlemen sitting upon the Treasury Bench. It was known from the works of the right hon. Gentleman the First Minister that he was most anxious for the continuance of the State Church in England; and naturally he, and his Friends who sat near him, were very unwilling that 700,000 men in communion with that Church should slip out of that Church. When this Bill was passed it was certain that the great Episcopal Church in Ireland would disintegrate and break up into a number of different bodies; although, no doubt, there would always be an Episcopal Church in that country, on somewhat the same footing and status as that which existed in Scotland. He objected to giving the Government power to appoint any of the dignitaries of the Disestablished Church. The House had already declined to hand over to the Church Body the funds necessary for the maintenance of the cathedrals, which were very handsome buildings, but which were totally unfit for Protestant worship; therefore, let them carry out the principle in its entirety, and allow the Disestablished Church to arrange its government after its own fashion.

Mr. VANCE said, he wished to point out that the power to appoint the dignitaries of the Disestablished Church was only to be exercised by the Crown for a certain period, after which that power would be vested in the Protestant people of Ireland. He was glad that the eyes of the hon. Member for Clonmel (Mr. Bagwell) had at length been opened to the consequences of this measure, which, he truly said, must result in the destruction of the Episcopal Church in Ireland, as a united Church. For his own part, he also believed that when the supervision of the Bishops, the control of the ecclesiastical courts, and the supremacy of the Crown were got rid of, there would be an end to the Irish Episcopal Church. In large districts of the country there would be no Church except the Roman Catholic Church in existence, because it would be impossible, in places where the Protestant population was much scattered, to keep them together. He trusted, however, that in the North of Ireland it might be practicable, notwithstanding adverse circumstances, to keep up the Episcopalian Church. He could not agree with the views of the hon. Member with respect to the cathedrals, because he believed that the vote of the House which determined that no funds should be provided for the maintenance of those buildings was a most unjust one, considering the enormous amount expended on them by individuals in restoration and repairs. Although it might be possible for the Disestablished Church to keep up the parish churches, its means would be utterly inadequate to keep up the cathedrals. It would be a great pity if the cathedral services and the choral services were only to be performed in Ireland in the Roman Catholic churches; but he had some hopes that this part of the measure would yet be altered, either in that House or "elsewhere".

Mr. Serjeant DOWSE said, he felt bound to protest against the gloomy views with regard to the future of the Irish Church which had been expressed by the two hon. Members who had just addressed the House. It would appear from the tone of their speeches as though religion was entirely a question of money. They seemed to forget that the Christian religion was better able to give a good account of itself when its ministers went out without scrip or purse. He did not see why the Protestant Episcopalians of Ireland should be afraid that their Church was going to be ruined because it was to be placed in the position which the Presbyterian and Roman Catholic Churches in Ireland had so long occupied. He himself, on the contrary, took a hopeful view of the future of the Church of which he was a member, and was perfectly willing to take his part in supporting it. He thought that when the Protestant Church was no longer "leavened with a sense of injustice" it would become far more prosperous in Ireland than it had hitherto been. He hoped that in this, as in other matters, the hon. Member for Clonmel (Mr. Bagwell) would prove a false prophet.

Mr. AGAR-ELLIS said, that when there was no Established Church there would be nothing to dissent from. He had no fear that the Protestant Episcopalians would not adequately maintain the cathedral services. It would be sufficient to tell the Protestants in Ireland that if they did not keep up their cathedrals there were others by their sides who would do so, to obtain ample funds for their maintenance.

Clause, as amended, *agreed to.*

Clause 59 (Ultimate trust of surplus).

Mr. PIM said, that it was a principle well known to our courts of equity that when, from any cause, it became impracticable to apply funds to the purpose for which they were originally intended, they should be applied to some purpose as near to the original intention as might then be possible. Now, the Church Fund was originally given for the purpose of maintaining public worship for the whole people of Ireland. It was given at a time when no difference of opinion existed on that subject, and even at the time of the Reformation, when the rulers of the country changed the mode of public worship, they entertained no other idea, but that, either by persuasion or by force, the whole people of Ireland would be brought into connection with the established religion of the country. This attempt had been a failure, and therefore Parliament was now about to disestablish the Church, and to place all religious bodies in Ireland on a footing of equality before the law. But the Church funds were the property of the whole people of Ireland, and he maintained that they should be appropriated, in accordance with the *cy pres* principle before referred to, to that purpose which was most nearly consonant with the original intention. He believed this would be best attained by devoting them in the first place to the providing of glebes and manses for the clergy and ministers of the principal religious communities in Ireland, and which might be considered as representing respectively the old Celtic inhabitants, and the English and the Scotch settlers—thus fairly representing the whole people of Ireland. The Amendment which he submitted to the House was in accordance with the principles of equality on which the Bill was founded. Glebe houses had already been given by the Bill to the clergy of the present Established Church, and he (Mr. Pim) considered that to carry out fully the principles of equality it was requisite that glebe houses should be given to the clergy and ministers of the other two churches also. Everyone agreed that clergymen ought to have good residences—modest, but comfortable and suited to their condition. There were few things which had a greater effect on the social status than the character of the dwelling in which a man lived, and he believed if glebes and glebe houses were provided for the clergy and ministers of the Roman Catholic and Presbyterian Churches in Ireland, as well as for those of the Protestant Episcopal Church, that it would greatly tend to raise their social position. It would tend to place the clergy of the Roman Catholic and Presbyterian Churches on an equality as regards social position with the clergy of the present Established Church, and he considered that this would be a most important and most beneficial result. For these reasons—because the appropriation which he proposed was the nearest to the original intention; because he considered it necessary in order to carry out fully the principle of equal justice on which the Bill was founded; and because such an appropriation of the surplus funds would be eminently useful to Ireland, he begged to propose the Amendment of which he had given notice—namely, to insert in the eleventh line, after the word "shall," the words—

"In the first place be applied by the Commissioners to the purchase of glebes and the building of glebe houses or manses for the Bishops and clergy of the Protestant Episcopal Church in Ireland, so far as glebe houses have not already been provided for under the provisions hereinbefore contained, and for the purchase of glebes and the building of glebe houses or manses for the Bishops and clergy of the Roman Catholic Church, and for the ministers of those Presbyterian Churches which have heretofore been in receipt of the Regium Donum; and so soon as the aforesaid object has been attained, the surplus then remaining shall."

MR. BOURKE said, that, though not an Irish Member, he had been connected with Ireland all his lifetime by the strongest ties. He trusted, therefore, that the Committee would permit him to state why he should vote for the Amendment of his hon. Friend the Member for Dublin (Mr. Pim). In the first place, the Amendment was, to the extent it went, an adoption of a policy which had been advocated by Mr. Burke, Mr. Pitt, and other great statesmen, and which he believed no friend of the Irish Church ought to be ashamed to get up and support. He had always regretted that the question connected with the fiscal relations of the clergy in Ireland had not been viewed by this country in a broader light. He believed that if we had regarded the question somewhat in the way it had been viewed by some of the nations on the Continent it would have been better for the Irish Church. He was quite aware that there were those on his own side of the House who did not concur with him in his opinion on this matter; but he would express his conviction that, if the interests of Ireland only had to be considered, the principle which he supported would have been the basis of the Bill for dealing with the religious question. But the exigencies of the right hon. Gentleman at the head of the Government and his political alliances had prevented that course from being taken. He thought there could be no doubt of that, because his hon. Friend the Member for Galway (Mr. Gregory), in the able speech he delivered on the second reading of this Bill, said that he himself would have preferred a measure based on the principle of concurrent endowment; but he found that the opinions entertained by the Scotch Members and the English Nonconformists made such a course totally impracticable. He hoped, however, that the Scotch Members and the English Nonconformists would vote for the Amendment of his hon. Friend the Member for Dublin (Mr. Pim); because he thought that, by their vote yesterday on the Roman Catholic College of Maynooth, they had precluded themselves from objecting to the proposition contained in that Amendment. He was not at present going to discuss the question of Maynooth further than to say he regretted the introduction of that subject in this Bill. Had it not been so introduced they would have had a large surplus to dispose of for Irish purposes. He must observe that he believed the money for Maynooth was to be taken out of the funds of the Irish Church in order to gild the pill for the Scotch Members and the English Nonconformists. He knew he was laying himself open to much animadversion, but he should vote for the Amendment of his hon. Friend, because he believed that it would conduce more to a message of peace to Ireland than anything that had hitherto been included in this harsh, cruel, and impolitic Bill.

MR. GLADSTONE said, that no one could complain of the hon. Member who had just down for giving utterance to opinions which, as he (Mr. Bourke) said, had been supported in former times by great authorities, and which he was perfectly entitled to entertain. But the hon. Member said that the exigencies of the Government and their political alliances had forced them to act on a principle different from that which he advocated. No one could have stated his own proposition better than the hon. Gentleman had done in his short speech; but the hon. Gentleman himself answered the charge he had made against the Government. He said that the hon. Member for Galway (Mr. Gregory) had declared that the sentiment at that side of the House would not allow concurrent endowment, and the hon. Gentleman (Mr. Bourke) himself commenced his speech by stating that opinion at his own side would also have been at variance with any such proposal. That was a complete vindication of the policy of the Government—if in framing its measures a Government was to have any regard to the probability of their passing. He (Mr. Gladstone) neither blamed nor vehemently dissented from those who thought that a provision of this kind might properly be introduced in the Bill. It was quite enough for him to say that the Government did not think it would be their duty, but thought it would be contrary to their duty to put it in the Bill. Had they done so, he believed they would have placed the Bill in serious jeopardy. But, apart from the substance of the Amendment, he thought that, though the discussion of the Amendment might be a legitimate mode of eliciting opinion, it was one that could not be introduced in the Bill. It was not correct to say that there were only three denominations to whom the Amendment would apply, because there were separate communions in the Presbyterian Church; but without dwelling on that point, he must say it was quite plain that, if they adopted the line of action involved in the Amendment, they ought to re-construct those provisions of the Bill which had reference to the glebes and glebe houses of the clergy of the Protestant Episcopal Church. Having gone through the same complicated set of arrangements in order to adjust matters between them and the Commissioners, they would have to proceed to undo it all in order to get a surplus which they might apply to the creation of glebes and glebe houses. His hon. Friend (Mr. Pim) was, of course, entitled to the free expression of his opinion, but having done that, he presumed his hon. Friend hardly intended to press his Amendment to a division.

Sir JOHN PAKINGTON said, he had carefully considered this question, and he was bound to say that he shared the views of the Mover of the Amendment (Mr. Pim), and of his hon. Friend the Member for Lynn (Mr. Bourke). If the hon. Member for Dublin thought it his duty to press the Motion to a division, he (Sir John Pakington) would support him, on the understanding, however, that the hon. Member this time would himself vote for his own Amendment.

Mr. W. H. GREGORY said, he felt convinced that nothing would give greater satisfaction throughout Ireland than that the ministers of the different religious denominations should be comfortably and respectably housed. From his own personal experience, he could bear testimony to the difficulty that the Roman Catholic clergy had in obtaining anything in the shape of houses in the wilder and more mountainous districts of the country. In the observations he had made on the second reading of the Bill he had strongly advocated the making of proper provision in this respect for the clergy. Indeed, the views which he held were those expressed in the eloquent letter written in, he believed, 1852 to the *Freeman's Journal* by the right hon. Gentleman the Member for Birmingham (the President of the Board of Trade). To those views which were in conformity with the intention of this Amendment, he had hitherto adhered, and he did not now see any reason for changing them. But he had seen that it was impossible that such a provision should be introduced. That impossibility did not arise from the feelings of the Scotch and Nonconformist Members alone; but those who remembered the scene which took place last year, when the hon. Member for Kirkcaldy (Mr. Sinclair Aytoun) proposed to add Maynooth to the Resolutions of the right hon. Gentleman, knew well that hon. Gentlemen opposite would instantly array themselves with those who on the Ministerial side would be dissatisfied, and thus make this Amendment an engine for the overthrow of the Bill. He had, therefore, without relinquishing his views, abstained from pressing them, and though he still believed the principle of the Amendment to be right, he trusted his hon. Friend the Member for Dublin (Mr. Pim) would not divide the Committee upon it, because the Bill had reached its present stage in accordance with the adoption of certain principles from which they could not depart without laying themselves open to the accusation of acting unfairly by those allies who had fought the battle with them.

Mr. SYNAN said, that hon. Gentlemen opposite had failed in securing the co-operation of hon. Gentlemen sitting on the Liberal Benches in reference to any particular portion of the Bill owing to the tactics that they had adopted. The hon. Member for King's Lynn (Mr. Bourke) told them that if the Maynooth clause had been struck out of the Bill there would have been a larger surplus to devote to Irish purposes. But whose fault was it that the Amendment to that clause was a purely negative Amendment, which no one could support without jeopardizing the chance of Maynooth receiving any compensation at all? It had been evident that hon. Gentlemen opposite only desired to defeat the Government; and if hon. Members on the Liberal Benches joined hon. Gentlemen opposite they would be led into a trap, and assist in defeating the very Bill that they were so anxious to carry. He also could bear testimony to the fact that the way in which the Roman Catholic clergy and Dissenting ministers were housed, not only in the wilder and more mountainous districts of Ireland, but also in those which might claim to be regarded as civilized, was too frequently shameful and scandalous. That this state of things remained unaltered was attributable partly to the religious bigotry which existed on both sides of the House, and partly to the exigencies of party, which had converted Ireland into a political battle-ground, and the result had been that hon. Members had sacrificed the interests of the country to their own personal and party purposes. From what had occurred with regard to Maynooth he did not believe that much support would be given to the principle advocated by the hon. Member for Dublin (Mr. Pim) by hon. Gentlemen on the Benches opposite; and, but for the purpose of expressing a hope that this subject would receive attention at some future date, he should not have risen. He would, however, suggest to his hon. Friend that it would not be advisable to press his Amendment under the present circumstances.

MR. LIDDELL confessed that he could not understand how the hon. Member for Limerick (Mr. Synan), with the views which he had just uttered, could appeal to the hon. Member for Dublin (Mr. Pim) to withdraw his Amendment. The only point in the able speech delivered by the hon. Member for King's Lynn (Mr. Bourke) from which he (Mr. Liddell) had occasion to dissent was the remark made by the hon. Member that he did not think he was expressing the feelings of many Gentlemen on that (the Opposition) side of the House. For his own part he entirely concurred in the views of his hon. Friend. It was rather late to discuss, in any way, the principle of the measure; but it was never too late to do the right thing, and he should certainly join in exhorting the hon. Member for Dublin (Mr. Pim) to press his Amendment to a division, and thereby lay the foundation for action upon the basis proposed in "another place." He was anxious that the Committee should have an opportunity of expressing their opinions upon it, because he believed that it was framed in the tone and spirit in which they ought to have approached the settlement of this question, and it was based on a principle which had been advocated by Pitt, by Peel, and other great statesmen, including Lord Grey and some now living—namely, the principle of concurrent endowment. He asked to be allowed, even at this late period of the discussion, to express to his countrymen, through his vote, the thorough conviction he felt that if they wished to legislate for the Church and the people of Ireland, they should legislate in the direction indicated by the Amendment, the principle of which, if carried out fully, would realize the watchword of the advocates of this Bill—equality and justice to all.

MR. CANDLISH said, if one thing was more emphatically determined than another at the last election, it was that the country was against the principle of levelling up, which lay at the root of the Amendment. The hon. Member for Dublin (Mr. Pim) would have done well to have told them how much of the surplus would be absorbed by the Amendment he proposed. He was told that between 3,000 and 4,000 clerical residences and glebes were required, and, if they cost £1,000 each on the average, they would absorb more than half the surplus. If the Government entertained the Amendment, he prophesied the utter overthrow of the measure, for the success of the Amendment would alienate vast masses of its most ardent supporters, and would be used as a pretext for the ultimate opposition of some who had been its unwilling advocates. How those who wished to maintain Protestant institutions could vote for appropriating so much of the surplus to Catholic purposes he could not understand.

MR. W. JOHNSTON said, he regretted to have heard, once more, from the Opposition side of the House that proposal for levelling up, which proved so disastrous to the Conservative party at the last election, and which was more opposed than any other by the constituency which he represented — that of Belfast. He much preferred the proposition of the Government to the Amendment, and he trusted they would not be drawn into any false issue. He did not share the opinions he had heard expressed as to the utter ruin that was to ensue to the Protestant Church by the operations of the Bill. He believed in the vitality of Protestantism, and much as he regretted to see this measure introduced, he infinitely preferred to see all Churches disestablished and disendowed than to see a system of concurrent endowments. He therefore opposed the Amendment, but, while he preferred the proposition of the Government, he still more preferred that of the hon. Member for Brighton (Mr. Fawcett).

Mr. CHICHESTER FORTESCUE said, he would put it to his hon. Friend the Member for Dublin (Mr. Pim), and to the Committee generally, whether it was a wise use of precious time to continue this discussion, however interesting, theoretically, it might be. The issue that was now raised, however important, was of no use, for it was raised too late. The policy of concurrent endowment, if raised at all, ought to have been raised at the beginning and not at the close of their labours. It was, however, raised in the minds of all thinking men and of all politicians, and the decision come to upon it was contained in the Preamble of the Bill. The proposal of the hon. Member for Dublin was quite inconsistent with the Preamble of the Bill, which stated that the revenues of the Irish Church were not to be applied to the maintenance of any Church, clergy, or other ministry; and, knowing how well disposed the hon. Member was to the measure, he felt sure the Amendment would not be persisted in.

Mr. GATHORNE HARDY said, if all the Amendments that had been proposed had been carried they would not remove his objection to the Bill. While he opposed the disposition of the property proposed by this clause, he thought the Amendment laid down a principle which, when once adopted, could not be confined to Ireland, and the application of which would cause more strife and division than had ever existed in the country before. The hon. Member for Belfast (Mr. W. Johnston) had, no doubt, spoken the sentiments of a large proportion of those who held Presbyterian and Episcopalian opinions in Ireland, and though he did not agree with the hon. Member, yet he was entirely opposed to the endowment of different creeds for the purposes of religious teaching.

Mr. STACPOOLE said, that the Amendment would confer a very acceptable boon upon the Catholic clergy of Ireland, many of whom were housed in a miserable way, and if it were not adopted, he hoped the Government would introduce a Bill having the same object.

Lord JOHN MANNERS said, he wished to draw attention to the suggestion just made that the Government should provide glebes and glebe houses out of the Consolidated Fund. ["No, no!"] He did not know out of what other funds the means could be provided if the suggestion was to be acted upon. If this were the object of the present discussion, the House would be plunged in a certain cause of future dissension. As to the Amendment itself no doubt it was opposed to the Preamble of the Bill, but so was the distribution of the property proposed by the Government; and the hon. Member for Londonderry (Sir Frederick Heygate) had an Amendment based on the notorious fact that the objects proposed to be subserved by the Government schemes were really religious objects at this moment in Ireland. The Government itself had placed upon the table a list of these institutions, ranged under denominational heads; and they had the statement of Dr. Cullen that he would not consent to any scheme of education for the deaf and dumb which was not conducted on a system of strict denominationalism. Therefore, the propositions of the Government were equally open to the charge that they did not coincide with the Preamble of the Bill. Under these circumstances, if the hon. Member divided on his Amendment, he should take no part in the division.

Mr. PIM said, he was well satisfied with the course he had pursued in moving this Amendment. He considered that the debate which had arisen had proved that his proposal was a right one, and he believed that if the question could be submitted to the Irish Members alone it would be carried by a large majority, and that it would obtain the support and approbation of the people of Ireland. ["No, no!"] Well, then, of the more thinking and intelligent portion of the people of Ireland. Still he knew that Irish Members on this side of the House thought the passing of the measure of more consequence than the carrying of any Amendments, however, good; and he fully sympathized with this feeling. Many hon. and right hon. Gentlemen maintained the opinion that Irish local questions should be decided according to the views of the people of Ireland; but this question was about to be settled in accordance with the views of the people, not of Ireland, but of Scotland. Still he must admit that the objections which had been raised as to the defect of form had much force, and it might be that the Amendment he had proposed was in conflict with the Preamble and with some of the clauses of the Bill, to which the House had already agreed; and, therefore, as he would be very unwilling by any act of his to imperil the success of the measure, he would ask leave of the Committee to withdraw the Motion.

Sir JAMES ELPHINSTONE said, he objected to the clause on the ground that it would endow the Popish religion with the whole surplus funds of the Irish Church. Who would have the control of the monies granted to the reformatories and infirmaries but the Romish priests? The hon. Member for Dublin (Mr. Pim) had said this question was to be decided by means of the Scotch Members; but if the hon. Member for Edinburgh (Mr. M'Laren) was to be taken as an example, the Scotch Members were a most pliable body. The hon. Member for Edinburgh had told them that the Scotch Members were willing to endow Popery to any amount so long as the money did not come out of their own pockets; and the hon. Member for King's Lynn (Mr. Bourke) had rightly declared that the Scotch Members—in consequence of the language held by the hon. Member for Edinburgh and the Lord Advocate, their leaders—would be cut off for ever from the ground Scotland has hitherto held, of opposing the endowment of Popery on religious principle. The whole conduct of the Scotch Representatives had been an organized hypocrisy from beginning to end, and represented neither the intellect nor the property of Scotland.

Mr. M'LAREN said, he should be sorry to enter into anything like a personal controversy with the hon. Baronet (Sir James Elphinstone), but he had to state that the hon. Baronet misrepresented the opinions which he (Mr. M'Laren) held, and which he had expressed upon the subject. No Member of that House was more decidedly opposed than he was to the endowment of any denomination, whether of Popery, or of Presbytery, or of Episcopacy, or of anything else. The question of the endowment of Popery had not been before the House last night; the question was simply whether the participators in the Maynooth Grant and the *Regium Donum* should be compensated in accordance with the Resolution of last year, passed with the unanimous consent of the House. Whether the compensation was too great might have been legitimately discussed, but he held that there was no ground for such an opinion as had been expressed by the hon. Baronet. He would only add that he did not admit the hon. Baronet to be a fair exponent of the knowledge or of the sentiments of the people of Scotland upon the subject, and, in fact, the hon. Baronet might have learnt as much from the result of his visit to the county of Aberdeen previously to the late General Election, when he had found that his opinions were opposed to those of the great mass of the constituency.

Amendment, by leave, *withdrawn.*

Mr. WHALLEY said, he had been of opinion, from the language of the First Minister of the Crown, that the Bill would propose the devolution of the whole of the property of the Irish Church to the service of the State, and this would, he thought, be the wisest application of the funds. Ireland already received far more than her ordinary share of public money, and he did not think that she was entitled to the large sum now proposed to be given to her. Ireland now received £1,938,671 out of the public funds, while only £418,000 was devoted to Scotland. The contributions of Ireland to the revenue were only £6,000,000, while Scotland contributed £8,000,000. The mode proposed by the Government of dealing with the surplus could not be defended on the ground either of liberality or charity. The Chancellor of the Exchequer had shown that to grant money for charity for any particular purpose was inevitably attended with an increase of pauperism, and that the result of granting endowments, even for education, was an extension of ignorance. The President of the Board of Trade once said that of all the miseries that afflicted mankind, the greatest were caused by priestcraft and superstition. He wished the right hon. Gentleman to raise his eyes to the magnitude of this question, and remember how the other countries of Europe dealt with this difficulty. The sick, and the dying, and the superstitious placed vast sums of money in the hands of the priesthood. And what became of them? Why, the history of Europe showed that at the proper time, when the necessities of the State required it, these sums were invariably appropriated to the purposes of the State. The hon. Member concluded by moving, in Clause 59, line 11, leave out from "applied" to "restraint," line 26, and insert "paid to the Consolidated Fund, to the credit of the Commissioners for the Redemption of the National Debt."

Mr. GLADSTONE said, it was scarcely necessary to say that the Government were absolutely debarred by the declarations they had made, and the pledges they had given, from assenting to the proposition of the hon. Member for Peterborough (Mr. Whalley).

Mr. WHALLEY said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. FAWCETT said, he was aware that time that afternoon was peculiarly valuable, but nobody else having raised the question which was touched by his Amendment, he felt himself compelled to do so. He did not object to the surplus going to charitable institutions; but he was certainly opposed to its being applied in relief of the grand jury cess; because in that case it seemed to him indisputable that by far the largest part of the money would go into the pockets of the landlords. He had not yet learnt that there was any difference between the county cess, the poor rate, and the county rate. It was said that the county cess was paid by the tenant. But in England the poor rate was always paid by the tenant, and nobody, he thought, would contend that, because primarily the poor rate was paid by the tenant, it was not ultimately paid by the land. If the poor rate were abolished the gain would undoubtedly in the first place be to the tenant who had a lease, but as soon as the leases expired the landlords would get the benefit. He held that the Irish landlords were getting too much under this Bill. They had, in fact, been offered a large pecuniary bribe. The mode in which it was proposed to allow them to commute the tithe rent-charge was, in fact, equivalent to presenting them with the reversion of £8,000,000 at the end of fifty-two years, and now it was asked to give them another £200,000 a year. This surplus, he thought, might much more judiciously and advantageously have been given for the promotion of education. There were really no insurmountable difficulties in the way of this being done. Ireland was suffering from a dearth of good secondary schools; and some of those professors whose business it was properly to deliver lectures in the Colleges had been obliged to convert their class-rooms into school-rooms. As he listened the other night to the eloquent speech of the Vice President of the Council of Education, explanatory of the educational arrangements which he proposed for England, at an outlay of £360,000, he could not help reflecting upon the good which might be done to Ireland by £100,000 expended and well administered in schools of a similar character. There were also three Colleges in Ireland which had done enormous good already, and were calculated to do still more in future, especially if the pecuniary rewards in the Colleges were increased so as to attract students, and the Government, had they thought proper to double the grants to those Colleges, would, he believed, have conferred additional advantages on the people of Ireland. But if there were objections to applying the surplus to the purpose of education, it might be devoted to the settlement of the land question. He was informed that in Ireland there were nearly 3,000,000 acres of waste lands, admirably adapted for cultivation; and if some of these surplus revenues had been devoted to their reclamation and improvement, not only would the wealth of the country have been increased to an enormous extent, but a class of peasant proprietors would have been created, deeply interested in the permanent prosperity of Ireland. He had felt it his duty to bring forward this Amendment, and he trusted the First Minister of the Crown would believe that in doing so he was not actuated by any spirit of hostility to the measure. On the contrary, he congratulated the right hon. Gentleman as sincerely as anyone in that House could do upon being the statesman who in future ages would enjoy the renown of having carried out a measure of long-deferred justice to an afflicted country. The hon. Member, in conclusion, proposed, in Clause 59, line 11, to leave out "from under the management" to end of clause, and insert—

"In aid of the development of education in Ireland, or in aid of the transformation of the tenure

of land in Ireland, as Parliament by an Act or Acts to be passed for that purpose shall determine; the Commissioners may from time to time during their trust report to Parliament whether there is any income available for the purposes mentioned in this section."

Mr. GLADSTONE said, he was much indebted to the hon. Member for Brighton (Mr. Fawcett) for the kind words with which he had concluded his remarks. He must, however, appeal to the hon. Member, who he was aware had a deep desire that this Bill should become law, to withdraw his Amendment, to which the Government found it impossible to assent. He should not attempt to treat the Amendment in a polemical spirit. He admitted the correctness of the hon. Member in dividing the purposes to which the Government proposed to apply the surplus funds into two classes—namely, those new purposes for which provision had not as yet been made, and those old purposes for which provision had been made; and it would be for the Committee to determine, either then or at some future period, whether they would give the preference to the new wants. He thought, however, it would be better if their decision upon this point were deferred until they had determined definitely upon the principle upon which the general arrangements were to be made. He could not deny that the landed interest of Ireland would ultimately derive considerable benefit from the application of the surplus, so far as the new provision for old wants was concerned; but it must be recollected that the proposed changes would be accompanied by important reforms, which would result in enormous advantage to the public at large. He was afraid that the controversies to which the Bill as it stood had given rise were quite as great and as complicated as any measure could safely carry upon its back, and that if they were to add to them an educational discussion it would be hopeless to attempt to proceed further with the Bill. Under these circumstances he trusted that the hon. Member would withdraw his Amendment.

Mr. MORRISON said, that while entirely concurring in the spirit of the Amendment, he hoped that the hon. Member (Mr. Fawcett) would not press the matter to a division. He wished to know whether the right hon. Gentleman proposed to bring forward a new clause on the Report, or to amend this one?

Mr. GLADSTONE said, the clause might be amended by the Committee on the Report, so as to draw the distinction indicated between old and new purposes, if it was not considered necessary to frame a new clause.

Mr. FAWCETT said, he could not resist the appeal of the right hon. Gentleman the Prime Minister, and would, therefore, withdraw his Amendment. He should, however, propose certain Amendments in the clause on the bringing up of the Report, which would carry out his views.

Colonel GREVILLE-NUGENT said, he was glad to hear that any relief given to the asylums of Ireland would be accompanied by reform in the administration. The lunatic asylums of Ireland were under no efficient control. He wished to know whether it was the intention of the Government to bring in a Bill to place them under the control of the Poor Law Commissioners? There was at present great waste in their management.

Mr. CHICHESTER FORTESCUE said, it must be admitted that the system under which the lunatic asylums of that country were managed required revision. The clause made the Poor Law Commissioners the channel through which any additional funds to be granted to the lunatic asylums would be administered, as a guarantee for their proper appropriation, but it would be a matter for future consideration whether or not the asylums should be placed under the control of the Poor Law Commissioners.

Amendment, by leave, *withdrawn.*

Sir FREDERICK W. HEYGATE, in moving the Amendment of which he had given notice, objected to the surplus being appropriated to institutions which were purely Roman Catholic. The meaning of the word "hospital" in Ireland was somewhat different to that attached to in England, and included the houses of religious orders. Of the forty-six hospitals and benevolent institutions in Dublin, twenty-nine were exclusively Roman Catholic, and thus under the terms of the clause a large portion of the surplus funds would be handed over for purposes of an exclusively religious character. He also objected to any portion of the surplus being applied to the support of reformatory and industrial schools, which ought to form a part of the general system of government of the country. The relief of lunatics in Ireland would be sufficient to absorb the entire of the surplus. The right hon. Gentleman at the head of the Government estimated the surplus at between £7,000,000 and £8,000,000. There were 15,620 lunatics in Ireland. Of these, 5,212 were maintained at a cost of £119,000 a year according to one estimate, and £149,000 according to another estimate. Taking the lower estimate, it showed that £360,000 a year would be required for the maintenance of all the lunatics, while, if invested at 4 per cent, £7,000,000—the surplus of the Church funds—would give only £280,000. It was evident, therefore, that the entire of the surplus would be absorbed if all the lunatics in Ireland were relieved. Would it not be better to allow it to be so absorbed than to give any portion of it to institutions which, however excellent, were managed by persons of one religious persuasion? If money were given to hospitals and institutions for the deaf and dumb, much of it would fall into the hands of nuns and Sisters of Mercy—excellent persons, but persons of one religious persuasion. He held that such an appropriation of any portion of the surplus funds of the Irish Church was not in accordance with the declaration of the right hon. Gentleman at the head of the Government as to the principle on which this Bill was to be founded. Another objection to such an appropriation was that the moment you began to give public money to institutions supported by private subscriptions, the springs of charity were dried up. He should prefer to see those excellent institutions left to private benevolence. It was not true to say that the landlords of Ireland ever had asked for the surplus of the funds of the Irish Church. In conclusion, he had to congratulate the hon. and learned Member for Derry (Mr. Serjeant Dowse) on his having made up his mind the previous night to attach himself to the Protestant Episcopal Church of Ireland, for he believed that on the hustings the hon. and learned Gentleman had described himself to be "an unattached Christian." The hon. Baronet then moved, as an Amendment, in page 26, line 14, to leave out all after "infirmaries" to end of clause, and insert, "lunatic asylums, asylums for poor persons of weak intellect, in exoneration of Grand Jury Cess."

MR. SERJEANT DOWSE said, that, no doubt, quite unintentionally, his hon. Friend (Sir Frederick Heygate) had repeated a calumny which had been circulated against him by his Tory opponents. He never had described himself as "an unattached Christian." Like the right hon. Gentleman at the head of the Government, he had been called an Atheist, a Secularist, and every other name of the kind which Ulster Toryism could make use of. At first he was annoyed at their attacks, but the annoyance passed away when he came to understand that with the Tories of Derry an Atheist meant a man who did not agree with them in their ecclesiastical opinions. He was a Protestant Episcopalian, sincerely attached to the Church of his fathers, but desirous of removing from her the disgrace of being a standing injustice to other Churches, and he was content to let her stand or fall on her own merits. His hon. Friend said that the Irish landlords never had asked for the surplus. Well, that would have been too cool a demand even for Irish landlords; but when they saw anything going they tried to get it and put it in their pockets. The effect of the Amendment of the hon. Baronet would be to put the entire surplus in the pockets of the Irish landlords. His hon. Friend was one of them, and, he was willing to admit, not one of the worst of them. It might be said this would be a relief to the tenants. He contended it would not, for the landlords would raise the rents, as the bulk of the Irish tenantry were tenants from year to year. An Irish tenant holding from year to year was a man who had an estate with the privilege of being served with notice to quit once in twelve months. The hon. Baronet the Member for the county of Londonderry was constantly boasting of being very liberal—[Sir FREDERICK HEYGATE: No!]—and he believed his hon. Friend really was so. Last night he showed great liberality by separating himself from his party in a lucid interval. For himself, he could say that he knew Ireland—not as the correspondent of *The Times* knew it, with a scissors and paste knowledge—but with a personal knowledge, and he had never known an instance of an attempt at interference with the religious opinions of a patient in the Mater Misericordiæ Hospital or St. Vincent's Hospital, or with any other hospital managed by nuns in Ireland. These excellent institutions were managed by Roman Catholic ladies, who gave their services without pecuniary fee or reward; but they were conducted on principles of truly Catholic charity. He had known humble Protestants who had been patients in those hospitals, and from all he had heard he believed that a patient was never asked his religious opinions. But this was, after all, beside the question, for he did not believe that any "hospital" of the character described by the hon. Baronet would come within the provisions of this Bill. He looked upon the relief of the sick, the needy, the blind poor, and the destitute as the noblest objects of the measure, to which he had given his hearty support from the commencement. He had no intention of rising had he not been personally alluded to; but, when he was speaking, he had felt bound to say a few words in defence of the excellent institutions which had been referred to by the hon. Member.

MR. CHICHESTER FORTESCUE said, he desired to pay a tribute to the consistency of his hon. Friend the Member for Peterborough (Mr. Whalley) because his hon. Friend in proposing that the surplus funds of the Irish Church should be applied to the reduction of the National Debt had certainly suggested a plan which would effectually deprive the Irish Roman Catholics of any advantage which might accrue to them from the fund. The Amendment proposed by the hon. Baronet the Member for Londonderry (Sir Frederick Heygate) would have the effect of striking off from the list of those objects to be benefited by the surplus funds of the Irish Church such as were not supported by local taxation. That, however, did not appear to be the motive which induced the hon. Baronet to propose this Amendment, for, as far as he understood it, the hon. Baronet desired to avoid conferring any assistance upon institutions the benefits of which were mainly partaken of by the Roman Catholic population of Ireland. But it would be extremely difficult to find any object which they could assist in Ireland without its being open to the same objection. If they applied the money to the assistance of education in Ireland, they must remember that the vast majority of the scholars and schoolmasters would be Roman Catholics. If they applied it, as had been suggested, towards railways, it would still be the Roman Catholics who would derive the greatest advantage from the assistance afforded. If they were, therefore, to be deterred from pursuing the policy they had intended to adopt from any consideration of this nature, it would be difficult for them to say where they could stop. With regard to reformatories and industrial schools, it was an undoubted fact that though many of those institutions had been carried on with success under the management of many excellent people, Protestant and Roman Catholic, some of them, in spite of Government assistance, were languishing, and had become seriously embarrassed for want of funds, because owing to the comparative absence of wealth in Ireland, the resources of private subscription and private aid were not very great. He certainly did not think that it was a sufficiently strong objection against the policy of the Government to urge that these surplus funds ought not to be applied to the objects intended, because those who were chiefly interested in them belonged to a certain religious denomination — that denomination, too, embracing the majority of the people of the country. They ought not to be deterred from the application of this money to the relief of the suffering of the country on such grounds as those urged by the hon. Baronet. He submitted that the opponents of this measure had utterly failed to show that the Government had departed from the principle of this Bill in the propositions contained in this clause.

SIR MICHAEL HICKS-BEACH said, he must confess he differed in opinion from his hon. Friend behind him (Sir Frederick Heygate). He objected to the application of the surplus funds of the Irish Church to any objects which would have the effect of relieving the landlords or the payers of the grand jury cess. If the funds of the Irish Church were to be applied at all to hospitals or institutions —an application to which he strongly objected—they ought to be applied to those new hospitals and infirmaries supported by voluntary contribution, and not to those which the landlords and the ratepayers were bound to support. He did not object to this assistance on the ground that those who derived the greatest benefit from it would be Roman Catholics. If the Roman Catholics had by great exertion established and maintained a greater number of these institutions than the Protestants, by all means let them have the benefit of it as far as it went. He certainly should be one of the last to object to their receiving assistance under those circumstances. When, however, it was urged, as an excuse for applying these surplus funds to the support of these institutions, that it was difficult to raise the money necessary to their support by voluntary contribution, he could not help thinking that it augured badly for the future of the Irish Church, because if Irishmen would not maintain hospitals and other institutions for the suffering and diseased, who were always before their eyes, they would scarcely be very willing voluntarily to subscribe to the support of the Irish Church. He wished to ask one or two questions of the right hon. Gentleman at the head of the Government. This clause provided that the funds devoted to the support of these institutions were to be expended under the management and control of the Poor Law Commissioners of Ireland. In his opening speech the right hon. Gentleman stated the proportions in which these sums would be divided. He should, however, be glad to know whether those proportions were fixed, or whether they were to be varied at the discretion of the Poor Law Commissioners. Again, in the Estimates for the year there were two grants — one of £19,000 for hospitals in Dublin, and another of £21,000 for reformatories in Ireland. Were they going to deal with charitable institutions on the principle upon which they had dealt with Maynooth, and did they intend to relieve the country of the payment of £40,000 a year for the support of reformatories and hospitals?

Mr. W. SHAW said, he had been written to by several medical gentlemen in Ireland to urge the claims of a large proportion of the industrious poor suffering from incurable diseases. A great many of those unfortunate persons were exposed to great suffering and privation, and there was only one institution in Dublin established for their relief. It had also been suggested to him that the Commissioners should make grants in aid of local voluntary effort, the stifling of which would be a very injurious thing. He had no horror of religious ladies, whose services had greatly increased the efficiency of one institution in Cork, and had caused him and others to increase their subscriptions to it.

Mr. PELL said, that it being conceded that this surplus was to go to the relief of human suffering, he would be the last to strain the quality of mercy by entering into a controversy as to whether it was to pass through Roman Catholic or Protestant channels. But it seemed to him that they were hurrying over the distribution of the surplus. They had seen the property of the Irish Church broken up into fragments by the marvellous machinery of the right hon. Gentleman's Bill, and in the proposed distribution of a considerable portion of it he did not recognize the sort of charity which the President of the Board of Trade had referred to as being most agreeable to the teaching of the great Founder of our faith. It rather reminded him (Mr. Pell) of that peculiar charity described by Sydney Smith which impelled A, when he saw B in distress, to ask C to give something. The Preamble of the Bill said the surplus was to go to the relief of human suffering; but the charity was destroyed by the exoneration of the landlords from the payments they had hitherto made under compulsion. How could it be said that an appropriation which exonerated the landowners from their legal and moral responsibility to do their duty by the sick and insane was made in the name of charity? If the money were to be applied to charitable objects he had rather have had new ones found. He was, however, far from wishing to withhold the application of those funds to the relief of charitable institutions because they happen to be presided over by excellent and angelic religious women, whether they belonged to the Roman Catholic or any other form of faith. It appeared to him that the proposed re-distribution was a far different application of the funds from that intended by the founders of those endowments.

Lord CLAUD HAMILTON said, he could neither approve of the clause nor the Amendment. Everyone must know that in any application of the funds to Irish purposes the great majority benefited by them must necessarily be Roman Catholics. He had never raised an objection on that ground. On the contrary, he had supported the payment of the Roman Catholic chaplains in the Army and Navy and in gaols and lunatic asylums. He could not therefore support the Amendment. He objected to the clause, because, in the first place, he disliked the mention of the words "surplus funds," as if the Irish Church possessed property over and above its reasonable wants; and, in the second place, the effect of the proposed arrangement would be that in the annual accounts of the different institutions to be benefited there would appear as one item the sum derived from the Church surplus. This was undesirable, because it would be a reminder of disagreeable circumstances; it would remind the Protestant of a defeat and the Roman Catholic of a triumph; and it would therefore be expedient to avoid such a root of bitterness and such a source of sectarian irritation. He hoped the Prime Minister would see the desirability of obliterating all traces of party conflict in the future arrangements as to the disposition of this property.

MR. GLADSTONE said, he was glad his noble Friend (Lord Claud Hamilton) had dissociated this subject from all invidious religious considerations. The simple truth of this matter might be stated in one sentence, and it was, that as regarded the religious element, be it great or small—and he believed it to be small—there was not a single new principle involved in the Bill of the Government, nor would one single shilling of public money be given to any object or purpose whatever, except purposes and objects which had already received the sanction of Parliament. There was no religious novelty attempted to be introduced by this clause—no extension of any principle hitherto admitted into the law, or the administration of the law in this country. He did not join with his noble Friend's fear that the money would be a source of bitterness; it would not be earmarked in any way; it would not carry upon it the record of its having once been ecclesiastical money.

LORD CLAUD HAMILTON asked, whether the money would not be paid by the Commissioners?

MR. GLADSTONE: No; because the Commissioners were only a temporary body. And that gave him the opportunity of stating what he wished, as a general remark, to impress upon the Committee—that this measure, as regarded the part the Committee were now considering, was rather a delaration of principles of legislation than legislation itself. The Government felt it was necessary, in justice to Parliament, that in proposing a measure on the question of the Irish Church they should bind themselves to the principles on which the available residue would be administered. They had been specific, therefore, in pointing out the objects and laying down the rule that the application must be under the control of the Poor Law Commissioners, but it was evident there must be further legislation before the principle embodied in the clause could take effect. The hon. Baronet the Member for East Gloucestershire (Sir Michael Hicks-Beach) was in error in saying he had laid down the proportions in which the residue was to be applied. He had simply mentioned estimates for the full satisfaction of the purposes in view, and had never said the Church funds would be likely to yield those totals; on the contrary, the Government believed the residue would fall far short of those totals; and when the actual surplus came to be dealt with by Parliament it would be time to consider whether the proposal of the hon. Baronet the Member for Londonderry should be adopted, that the whole of these sums should go "in exoneration of the grand jury cess," or whether the House should accept the more generous proposals of the hon. Baronet below him (Sir Michael Hicks-Beach) and the hon. Member for Brighton (Mr. Fawcett). He had been asked whether it was proposed to withdraw the Parliamentary grant to Irish reformatories? Most certainly not. On the contrary, the sum would be given in addition to the present grant, and he inclined to the proposal that the grant should be apportioned on the system adopted for making grants for educational purposes, through the Privy Council, so as to make them a means of drawing forth voluntary charity, instead of extinguishing it. He heartily concurred in the remark of his hon. Friend the Member for Bandon (Mr. Shaw), that it was expedient to keep alive local action, and this end he hoped would be kept in view. As to the hopes which had been expressed that the clause would be framed so as to include incurables the Government were satisfied that it already did so.

SIR MICHAEL HICKS-BEACH asked if it was intended by this Bill to withdraw the grant to the Dublin hospitals?

MR. GLADSTONE said, it was not.

SIR FREDERICK W. HEYGATE said, he must again disclaim having moved this Amendment in the desire to favour Irish landlords. He had also opposed the iniquitous arrangement for the purchase of the tithe rent-charge. He expressed his regret if he had said anything with regard to the hon. and learned Member for Derry (Mr. Serjeant Dowse) that was contrary to the fact; but the hon. and learned Gentleman ought to be obliged to him for giving him an opportunity for making a speech which could not but be very acceptable to his constituents. It would be a lesson to him (Sir Frederick Heygate) in future not to say one word reflecting upon so distinguished a lawyer.

MR. JOHN HARDY said, that no one could quarrel with the objects to which the surplus funds were to be devoted; but he could not help remarking that hon. Members opposite seemed desirous of getting rid of the poor. The House, by its votes, had shown that the Bill was carried, and they must now hope for the best; but hon. Members ought not to be continually boasting of their charity and saving their pockets at the same time at the expense of the Irish Church.

Amendment, by leave, *withdrawn.*

MR. W. H. GREGORY moved to insert the words "poor rate" after the words "grand jury cess," so that it should be open to the Commissioners to enable Boards of Guardians to increase hospital accommodation for poor persons not actually paupers. He had received representations in support of the proposal from the guardians of every union in the county of Galway, which was the second largest county in Ireland.

MR. CHICHESTER FORTESCUE said, he was sorry the Government could not agree to the Amendment. It would open the door to a great deal of novelty, and the Government had avoided all allusion to the poor rate in the Bill.

Amendment, by leave, *withdrawn.*

MR. BLAKE moved an Amendment to include eye hospitals for the poor.

MR. GLADSTONE said, eye hospitals would come under the word "hospitals" in the clause.

Amendment *withdrawn.*

MR. HIBBERT said, that as the clause stood it appeared as if the first object was the exoneration of the grand jury cess. It would be better if the first paragraph, relating to lunatic asylums, were made the fifth instead of the first.

MR. GLADSTONE thought it would be advisable to adopt the suggestion on the Report.

MR. BLAKE moved a new paragraph to follow Paragraph 5, in favour of assistance towards the enlargement of lunatic asylums for those classes who were not eligible for admission to pauper asylums.

MR. GLADSTONE said, it was not desirable to appropriate money for building purposes; nothing had been included in the Bill relative to keeping up or enlarging buildings. There was, however, nothing in the Bill as to the classes of lunatics to whom assistance was to be given.

Amendment, by leave, *withdrawn.*

MR. BAGWELL moved an Amendment, to insert (6.) "For the purposes of burial grounds in districts where the existing cemeteries have been reported to be unfit for further interments, such grants to be made to Poor Law Boards in aid of local grants." Some of the cemeteries were dreadfully overcrowded, and illness was generated by some of the old burial-grounds, which it was impossible to shut up without an Act of Parliament.

MR. GLADSTONE said, that the objection to the Amendment was that it opened the door to a new chapter of purposes connected with the Poor Law. The Bill already charged the fund with a great deal more than it could do, and it was undesirable to multiply the demands upon it.

Amendment, by leave, *withdrawn.*

Clause *ordered* to stand part of the Bill.

Clause 60 *agreed to.*

Clause 61 (Saving rights as to proprietary chapels and chapels of ease).

SIR HERVEY BRUCE moved an Amendment, to add to the clause at end, "or to any Church situated in a parish or district of a parish which has been legally constituted into such parish or district, since the passing of the Act enabling the same, and which has been endowed out of private funds."

MR. GLADSTONE said, the Amendment was quite unnecessary to meet the case of the church to which the hon. Baronet specially referred. That case was already provided by the words of the clause.

DR. BALL said, the case which the hon. Baronet (Sir Hervey Bruce) had in view was that of a benefice created under Napier's Act, and he doubted whether the wording of the clause as it stood would be applicable.

THE ATTORNEY GENERAL FOR IRELAND (Mr. SULLIVAN), said, he entertained little doubt that the words would be found sufficiently wide, but he would undertake to consider the matter further.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 62 (Saving of Act of 39 & 40 *Geo.* III., c. 67).

MR. GLADSTONE proposed to insert at end of clause "and except as expressly hereinbefore provided."

MR. CHARLEY said, the insertion of these words afforded a complete justification of the Amendments which he had proposed upon the 13th and 58th clauses. His full expectation, however, was that the clause would not be effectual for its purpose, but that the measure of the right hon. Gentleman would lead to that which O'Connell tried in vain to effect—a combination of Irish Protestants and Roman Catholics for a repeal of the Union.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 63 (Interpretation) *amended* and *agreed to.*

Clause 3 (Appointment of Commissioners).

MR. GLADSTONE: Sir, I rise for the purpose of filling up a blank in this clause, with the three names of which I have given notice, and, in doing so, I will not do more than express my confident hope that they will receive the general approbation of the Committee and of the country. The names with which I propose to fill up the blank in the clause are those of Viscount Monck, the Right Hon. James Anthony Lawson —one of the Justices of the Court of Common Pleas in Ireland — and Mr. George Alexander Hamilton. Viscount Monck and Mr. Justice Lawson are well known to have been favourable to the principle of this measure from its inception. The case of Mr. Hamilton is, however, entirely different. Although we have every confidence in that gentleman for the purpose of carrying into execution the provisions of the Act, yet it is not to be supposed that because we propose him to fill this important office he has been, or even now is, an approver of the principles of the Bill. It is only an act of justice to Mr. Hamilton that I should state that I have received a letter from that gentleman on this subject, in which he states that if his acceptance of this office were to imply any approval by him of the principle of either disestablishment or disendowment, it would be his clear duty to decline it. We have been anxious, in making these appointments, to give a pledge to the world at large that we are actuated by feelings wider and higher than those dictated by the mere views of party. While, however, we are anxious that on the one hand the position of Mr. Hamilton shall be made known, we wish, on the other hand, that it should be thoroughly understood that intimate knowledge and long experience of his character give us the utmost confidence that he will discharge the duties entrusted to him in the most satisfactory manner.

SIR ROUNDELL PALMER; Sir, I feel bound to state that, in my opinion, no selection of names could possibly have been made more honourable to the Government or more thoroughly entitled to public confidence than those which have been mentioned by the right hon. Gentleman at the head of the Government. It is true, as has been stated by the right hon. Gentleman, that two of these gentlemen are known supporters of the Government measure, but no two supporters of that measure could have been selected who would be better fitted for the duty than they are. Lord Monck is truly attached to the Church, and if he has more confidence in the operation of the voluntary principle than others have, that will naturally render him more anxious than others that it shall be successful. I have long known Mr. Justice Lawson, and I have never known an abler or more honourable man.

Dr. BALL: I wish to state that on this side of the House every confidence is placed in the ability and in the perfect integrity of those gentlemen who have been selected to fill this office.

Mr. LIDDELL said, he wished to ask the right. hon. Gentleman, how the important duties which Mr. Hamilton at present fulfilled were to be discharged when he was appointed to the office created by the Bill?

Mr. GLADSTONE: The hon. Member has reminded me that, in my anxiety to be brief, I have omitted to mention that, in consideration of the arduous duties which Mr. Hamilton will have to perform, we have taken care that his emoluments shall not be less than those he at present enjoys. He will, of course, resign his present office of Permanent Secretary to the Treasury. With regard to Mr. Justice Lawson, the same arrangements will be made as were made in the case of Mr. Baron Richards, when he was appointed to preside over the Incumbered Estates Court.

Clause, as amended *added* to the Bill.

Clauses 4 to 9 (*Relating to the powers, &c., of the Commission*) *agreed to.*

New Clause (Accounts of capital and revenues) *added* in lieu of Clause 35, *struck out.*

Lord CLAUD HAMILTON moved a new clause (the Commissioners may grant annuity to incumbents disabled by infirmity from performance of duty).

Mr. GLADSTONE said, there was no similar provision in the present law, and, therefore, with great regret he was obliged to refuse his assent to the proposal.

Mr. KIRK moved, after Clause 38, a new clause (Compensation to licentiates).

Mr. CHICHESTER FORTESCUE said, he was reluctantly obliged to harden his heart against those excellent young men, and for two reasons. First, as the licentiates were not ordained ministers, like the curates of the Established Church, they could follow other occupations; next, they had never been in receipt of any advantage from public funds.

Clause *negatived.*

Mr. DEASE proposed a clause to provide for the incorporation by charter of the representative body of the Presbyterian Church.

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan) said, that the point was an important one, and he was of opinion that the Presbyterian Body ought to be made a corporation as well as the Episcopalian Body. But that ought to be done by subsequent legislation, and not by this Bill.

Clause, by leave, *withdrawn.*

Mr. M'CLURE moved to insert the clause of which he had given notice, the object of which was to provide that a sum not exceeding £25,000 should be allocated to pay off debts due on churches or meeting houses of Protestant Nonconforming ministers now entitled to *Regium Donum.* The opinions of the Presbyterians of Scotland — and they form nearly one-half of the Protestants of Scotland—had frequently been referred to in these debates. Now on this point they were unanimous, and the Moderator and Committee of the General Assembly laid great stress upon it. It is true there was no Act of Parliament authorizing expenditure on building these churches; but there was an agreement —a compact entered into between the Government and the Presbyterian Church in 1839—by which the ministers of congregations, fulfilling certain conditions, were to become entitled to receipt of the *Regium Donum.* This compact, he maintained, established if not a legal at least an equitable claim for assistance towards paying the debt on the buildings. He quite admitted that true and right policy now required that arrangements should be made by which the connection of the State with the different religious bodies in Ireland should cease and determine; but these arrangements should be carried out so as not to be the cause of individual embarrassment and distress. The process of disendowment affected the Anglican and Presbyterian Churches. The former, by general consent, got all their ecclesiastical edifices free of charge, and he trusted Parliament would give the Presbyterian Church, when disendowed, an equally fair start upon their new course.

Moved—After Clause 40, insert the following clause:—

(Discharge of debts of Non-conforming Congregations for erection of Churches or Meeting-houses.)

The said Commissioners shall ascertain the amount of debt due on the first day of March, one thousand eight hundred and sixty-nine, in respect of the erection of Churches or Meeting-houses of any Protestant Non-conforming Congregations, which shall be ascertained by the Commissioners to have been on that day fulfilling the conditions necessary for obtaining out of the *Regium Donum* the payment of yearly sums for their respective ministers, or whose ministers were then in receipt of *Regium Donum*, and shall apply a sum, not exceeding twenty-five thousand pounds, in the discharge of all such debts, or, if the entire amount of the debts so ascertained shall exceed that sum, then in the discharge of a rateable proportion of the same.—(*Mr. M'Clure.*)

Colonel STUART KNOX said, he objected as much as ever to the robbery involved in this Bill; but, as provision had been made for Maynooth, what was proposed by the hon. Member (Mr. M'Clure) was only an act of justice to Presbyterians.

Mr. GLADSTONE said, the Government had not overlooked this subject. His right hon. Friend the Chief Secretary for Ireland would introduce a Bill which, by advantageous terms of loan, would lighten very greatly the burden on the Presbyterian and Roman Catholic bodies in respect of debts contracted for the erection of those buildings. But they could not agree to the clause of the hon. Gentleman (Mr. M'Clure) and pay off the debts on the Presbyterian chapels after the course they had taken with regard to the building charges on the glebe houses.

Sir FREDERICK W. HEYGATE said, he regarded the statement of the right hon. Gentleman as very satisfactory. He would, however, ask whether arrangements would be made in the Bill to lend money for the erection and repair of episcopal churches, and to extend the re-payment over a certain number of years?

Mr. GLADSTONE was understood to say that arrangements with that object would be made.

Colonel STUART KNOX: Will the Bill be introduced this year?

Mr. GLADSTONE: Yes, very shortly.

Clause *negatived.*

Sir ROUNDELL PALMER said, that as there were many important questions to be considered on the bringing up of the Report, and as the Government had promised that several matters should by that time receive consideration, it would be of great importance that Members should receive early notice of the course to be adopted, so that if anything was unintentionally overlooked, opportunity might be afforded to supply the omission.

Mr. GLADSTONE said, the Government would endeavour to lay the Amendments, if they had any, on the table on Monday, so that the Report should be taken the first thing on Thursday.

Sir ROUNDELL PALMER said, he must express his earnest wish that the words "nor for the teaching of religion" should be left out of the Preamble; but, as a Friend suggested to him, this might be with more advantage considered on the Report.

In answer to Mr. Hermon,

Mr. GLADSTONE said, that there would be no limit to the amount which the Treasury might lend to the Commissioners.

House *resumed.*

Bill *reported;* as amended, to be considered upon *Thursday* next, and to be *printed.* [Bill 112.]

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at Nine o'clock till Monday next.

HOUSE OF LORDS,

Monday, 10th May, 1869.

MINUTES.]—Public Bills—*Committee*—Parochial Schools (Scotland) (96-97).
Report—Sea Birds Preservation * (59).

WILTES PEERAGE.

REPORT OF COMMITTEE OF PRIVILEGES.

Report from the Committee for Privileges that the Petitioner had not made out his claim *considered* (according to Order): Then it was *moved,* That the said Report be agreed to.

The Duke of CLEVELAND moved an Amendment that the Petition of the claimant to the dignity of Earl of Wiltes be referred back to the Committee of Privileges, in order that the same may be re-heard. The grounds upon which he made this Motion were that the Report was inconsistent with the decision of the House in the Devon Peerage case, that some of the Lords who originally heard the case were since dead, and that others had not taken a part in the judgment; so that this Report could not be considered the decision of the full Committee.

Amendment *moved* to leave out from ("That") to the end of the Motion for the purpose of inserting the following words ("the Petition of the claimant to the dignity of Earl of Wiltes be referred back to the Committee for Privileges in order that the same be re-heard.")—(*The Duke of Cleveland.*)

THE LORD CHANCELLOR said, that the circumstances of this case were very peculiar. The Earldom of Wiltes was created by Richard II. in 1397, in favour of Sir William Le Scrope, who held the office of Lord Treasurer, with remainder "to his heirs male." On the landing of Henry of Bolingbroke, afterwards Henry IV., Le Scrope with two others of Richard II.'s adherents, Sir John Bussy and Sir Henry Green, were seized, and, without any or much form of a trial, were beheaded at Bristol. In the first Parliament of Henry IV. the Commons prayed the King that the pursuit, arrests, and judgments against Lescrope and others should be declared valid and good, and for the profit of the realm, and the opinion of the Lords Temporal having been given in favour of this Prayer, it was affirmed by the King. Now the Report stated that in the proceedings at Bristol he was styled Sir William Lescrope, and that after his death his widow, describing herself as widow of Sir William Le Scrope, petitioned the King for a pension, which was granted to her. Moreover, no one had since sat in Parliament as Earl of Wiltes; so that the claim stood in a different position from that of the Earldom of Devon. Not having heard the argument, he did not intend to pronounce any opinion on the judgment of the Committee; but would simply remark on the grounds on which the reception of the Report was opposed. The noble Duke called upon their Lordships to re-hear the case, not simply on the ground that the decision differed from that given in the Earl of Devon's case, for that case stood in a different position, but on the ground that certain Peers who heard the case were prevented by death or otherwise from concurring in the judgment. Now, he had made inquiry into the matter and he understood that the late Lord Wensleydale did not hear any part of the argument, and that Lord Westbury heard only just the commencement of it. Lord Cranworth, who heard the whole argument, was deceased. Three Peers were still living out of the four who heard the argument, and they were unanimous in their decision; while there was no certainty that Lord Cranworth, had he survived, would have taken a different view. Under these circumstances, it would be taking a very unusual and very inconvenient course to refer the case back to the Committee for re-hearing.

LORD HOUGHTON said, he did not think a re-hearing would be required if the claim of the petitioner was the only matter which was affected; the fact was that the judgment seriously affected a noble Earl, whose claim was founded upon the same grounds, and whose collateral descendants, in case of the failure of the direct line, would thereby be prevented from attaining that dignity which they would otherwise be able to claim.

LORD REDESDALE said, that the case had been decided before the full Committee, and that all Peers were at liberty to be present at the inquiry, though no doubt when it came to a judicial decision it was left to the Law Lords. If this judgment were to be set aside because the case had not been decided in a way gratifying to the claimant, the same course would be pursued in every case of the kind. For his own part, he had given no opinion on legal points, but solely on questions of fact, and on evidence which had been in no way contradicted or explained by the counsel for the claimant, though his attention was repeatedly called to it.

Amendment (by Leave of the House) *withdrawn:* Then the original Motion *agreed to;* and *resolved* and *adjudged,* That the Petitioner hath not made out his claim; and Resolution and Judgment to be laid before Her Majesty by the Lords with White Staves.

PROTEST.

"*DISSENTIENT:*

"1. Because the resolution of the House is opposed to the decision of the House upon the Devon case in 1831, a decision accepted and acted upon by the Crown:

"2. Because King Richard was in full possession of the Royal Authority at the time the dignity of The Earl of Wiltes was created:

"3. Because the proceedings relied upon as affecting the rights of the heirs male of the Earl of Wiltes were all taken at a time when no lawful or legal Government existed in England, and that the subsequent proceedings had in the Parliament of Henry the Fourth in no manner purported to affect, or could in law affect, the dignity of Earl of Wiltes."

"HOUGHTON; WENTWORTH; WENLOCK, for 1st and 2d reasons; DENBIGH; BROOKE AND WARWICK, for 1st and 2d reasons; ZETLAND, for 1st and 2d reasons; GAINSBOROUGH, for 1st and 2d reasons; GRANARD; FEVERSHAM, for 1st and 2d reasons; ARUNDELL OF WARDOUR; NORFOLK, E. M., for 1st and 2d reasons; COLVILLE OF CULROSS, for 1st and 2d reasons; ABERGAVENNY, for 1st and 2d reasons."

PAROCHIAL SCHOOLS (SCOTLAND) BILL.

(*The Duke of Argyll.*)

(NO. 11.) COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, That the House do now resolve itself into Committee.—(*The Duke of Argyll.*)

THE DUKE OF RICHMOND said, that this was the first opportunity he had had of offering any opinion on the measure, and he was desirous of taking advantage of the present occasion to do so. When the Bill was introduced by the noble Duke (the Duke of Argyll), and on the Motion for the second reading, he (the Duke of Richmond) was unavoidably absent; but so much did he disapprove of the Bill, that he was anxious on this occasion to ask their Lordships to arrest its further progress, by declining to go into Committee upon it; but after consulting his Friends as to whether this would be the right course to pursue, he found them so greatly disinclined to that course, on the ground that they considered that the House was, as it were, pledged to go into Committee, that any proposition in a contrary sense would have the appearance of a breach of faith, that he reluctantly came to the conclusion not to oppose the Motion for going into Committee. But before their Lordships did so, he was anxious to state the views he entertained of the measure. There was no one, either in or out of the House, who would disagree with the Preamble of the Bill, which states its object to be "to extend and improve the parochial schools of Scotland, and to make further provision for the education of the people of Scotland." No one could disapprove of such an object as that. Everyone would concur that it was a most important one; but what he objected to was the mode in which the noble Duke sought to arrive at that result. He objected to the Bill both in its principle and in detail. Amongst other details, he objected to the constitution of the Central Board. He considered that a Board composed as was proposed by this Bill, of a number of gentlemen would be, to a great extent, entirely uncontrollable, and that practically the work would be left to the Chairman and Secretary. He objected, moreover, to the constitution and mode of appointing the school committees, because he believed if they were to be appointed as proposed by the Bill, the result would be endless squabbles and dissensions on a subject, which of all others was one on which there ought to be no quarrels and no squabbles—the religious education of the people. He objected also to the Bill, because in his mind it struck directly at the old parochial system of education in Scotland, which, in combination with the voluntary system, had hitherto worked so advantageously. He believed that the state of education in Scotland was by no means unsatisfactory. He had always believed and had always been taught to connect the name of a Scotchman with education, and that to meet a Scotchman who was uneducated was most unusual. That the system in Scotland had not overtaken the whole population of the country he was ready to admit; but in all cases, and in all countries, there must be a residue of population which was not brought within the influence of education, and which could never be reached by anything short of compulsory education—the merits or demerits of which, however, he was not about to discuss. Now their Lordships were asked by this Bill to substitute for a system of education which had existed for 200 years an untried and doubtful system. They were asked to exchange a parochial system combined with a voluntary system for one universal compulsory rating system, thereby greatly increasing the burdens upon the people. If it could be shown that there was any necessity for such a change, then he should be prepared to admit that the exigencies of the case might warrant such a Bill as this of the noble Duke; but, in order to be perfectly sure that he was stating nothing that was not a fact, he would refer to the Report of the Commission over which the noble Duke himself presided, and would refer to what was said with respect to the attendance in the schools of Scotland. Now, if it be necessary to extend the system of education, it must be because the proportion of scholars who attend the schools was small; otherwise, he maintained that they had no ground for departing from the present system. Now he found it stated in this Report by the Assistant Commissioners, that the general result of the state of education in Scotland is that the proportion of 1 in 6 of the whole population was upon the books; and that the scholars in attendance are 1 in 7—a ratio which, taken by itself, was not unsatisfactory, although they admit that in certain parishes the attendance is not so satisfactory. They then compare the attendance in Scotland with the attendance in other countries. In Scotland, as he had said, it was 1 in 6·5 on the books, and the attendance 1 in 7·9; whereas in Prussia it is 1 in 6·27; so that the attendance in Scotland is very nearly the same, if not quite as large, as the attendance in Prussia, where the attendance is compulsory. In England and Wales the attendance is 1 in 7·7; in Holland 1 in 8·11; and in France, 1 in 9; so that, so far, the attendance in Scotland can compare with any other country named by the Commissioners; but they add that the ratio in individual parishes was much less satisfactory. Referring to Returns obtained by the registrars, they made this remark—

> "As far as these Returns indicated, it would appear that, whatever might be the case in individual districts, the want of schools was not so great as had been generally supposed. There will be found in the Appendix a list of places appearing from these Returns to require additional school accommodation, but, for the most part, they are in the northern districts of the country; and the conclusion to be drawn from these statistics is that, whatever may be the quality of the education, Scotland is well, if not adequately, supplied with teachers and places of instruction."

The conclusion at which they arrived was this—

> "On the whole, the impression produced by the description given to us by the Assistant Commissioners of the parish schools is that they are in a state of general efficiency, and that their condition, although susceptible of great improvement, is not unsatisfactory. But it is also quite clear that a parochial school system is utterly inadequate in extent to overtake the work for which it was intended, and which it ought to discharge, and that, were it not at this moment largely supplemented, the education of the people in Scotland would be greatly defective."

That was the point. The present system was supplemented by voluntary efforts, and had, to this time, acted well in Scotland, providing a sufficient education for the people. He wanted to show that the present system was sufficient if properly carried out. But he wished to call the attention of the noble Duke to the opinion expressed by the present Chancellor of the Exchequer upon the voluntary system in Scotland. In a speech at Liverpool on the subject of education, at a meeting presided over by the Mayor, at the Town Hall, Mr. Lowe referred to the voluntary system. He said—

> "All we should seek is to add to the present system, and as little as possible to disturb it. I don't wish to deceive you, gentlemen; it is true that whenever you do give a compulsory system side by side with a voluntary system, you do in some degree injure the voluntary system, A man who is promoting education and giving money for the purpose naturally says—'If I go on doing this I am quite welcome; but if I don't choose the Government will do it for me, and so I won't do it any more.' That is a very natural way of reasoning, and is, no doubt, the reasoning that the fact of placing a compulsory system side by side with the benevolent or voluntary system would create in any man's mind. The difficulty is how not to make that reasoning too cogent, so as to bring about a violent change; and my wish would be, if possible, to leave the existing schools standing entirely, and only to add to these schools where they are wanting. But, of course, there is this to be done, and I would say ought to be done. I am quite willing that all present denominational schools, founded on the voluntary principle, should remain where they are, I am quite willing that new schools should be founded on the voluntary system, always subject to a Conscience Clause."

THE DUKE OF ARGYLL: That refers to England.

THE DUKE OF RICHMOND: Quite so. But he (the Duke of Richmond) maintained that the argument was equally applicable to Scotland, and that the whole tenour of the speech was in favour of maintaining the voluntary system. It seemed to him that the Episcopalians and Roman Catholics of Scotland would be most injuriously affected by this Bill; for, by an ingenious contrivance, under the 20th and 68th clauses, they would be starved into compliance with its provisions, and would thus be placed in a much worse position than that which they were entitled to occupy. There was another point—the financial basis of the scheme—which he considered the very essence of the Bill, and on which they ought to require from the noble Duke some explanation. He alluded more particularly to that portion of the Bill which fixes the maximum rate at 3*d.* in the pound. He would ask how was the noble Duke going to measure the amount of education which he would have to give to any parish? Would he measure it by the amount of education that was required by the parish, or by the amount of education that the 3*d.* in the pound would afford. Supposing, for instance, a parish required three schoolmasters, whose salaries shall have reached £60, he would have to say to it—"It is true your education ought to cost £60, but as the 3*d.* rate will only bring £50, you must content yourselves with an inferior education, because you cannot afford to pay for a better." On the other hand, in some parishes the rate might produce more than the sum required It was provided that a 3*d.* rate should be the maximum sum in any one year; but if this rate be so, he did not see how they were to get out of debt. There might be some contrivance by which the noble Duke could get them out of debt; but at this moment he did not understand how it could be done. This 3*d.* rate clause had created a great deal of interest and surprise in Scotland; but he would refer for a moment to a paper which had probably been sent to the noble Duke for the purpose of showing the inadequacy of the 3*d.* rate in the Highland parishes. There were some details which he would not go into; but the conclusion they showed was that out of 154 parishes in the Highland and island parishes, the rate would be inadequate in seventy-one. He had also observed a remarkable statement with reference to the parishes of Tongue and Farr, and that part of Reay situate in the county of Sutherland. The annual expenditure on parish and General Assembly schools, irrespective of school fees and Government grants, was £366 13*s.* 2*d.*, and on Free Church schools £227, giving a total of £593 13*s.* 2*d.*, whereas a rate of 3*d.* in the pound would only raise £136 1*s.* 9*d.*, or allowing for inevitable deductions, only about £100. In Aberdeenshire a 3*d.* rate would produce only £20 for each school, whereas the amount at present contributed was £50, the attendance being one in six. At Fraserburgh the interest on the capital sums expended through private benevolence within the last twenty years in the erection of denominational schools was £200 per annum, and the annual voluntary subscriptions £200 more, making a total of 6*d.* in the pound on the present rental, and the attendance was one in five of the population. If Fraserburgh were deprived of the voluntary system, he did not see how the requisite amount was to be made up; and the same remark applied to Aberdeenshire. There was another point to which he wished to refer. The noble Duke (the Duke of Argyll) stated on a former occasion that public feeling in Scotland was favourable to the Bill, or, at all events, that he did not anticipate any difficulty as to its principle. This opinion, however, seemed to him (the Duke of Richmond) a mistaken one. The ironmasters, for instance, who clearly were a body of gentlemen not inconsiderable in numbers or importance, had presented a Petition, urging that to get their schools adopted would involve conditions that could not be undertaken, since, having regard to the minerals underneath the sites, and to those sites being generally connected with the works, it would be inconvenient to place them under the control of a public Board. They were convinced, moreover—

> "That the Bill, if passed, would, at no distant date, lead to purely secular teaching; and they strongly objected to such a subversion of the intended uses of the buildings. These matters had been forced upon their attention by the introduction of the Bill; and the consequent consideration of the subject had led to these views. Like consideration is gradually leading others also to prefer the encouragemeut and better development of the existing system to an untried system fraught with the above and other evils."

Then, again, the Acting Committee of the Church of Scotland, who ought to know something of the educational wants of the country, had pointed out in a Petition that the Bill made no provision for religious instruction, that it tended to extinguish the denominational system and all local effort, and that while the parochial schools afforded a good education to more than a fourth of the inhabitants of the landward districts, their deficiencies were to a great extent supplied by various religious denominations and individual heritors or owners of public works. The Committee added—

> "The deficiencies are reported to be, not a want of schools to any marked extent, but only inferior school buildings (in many cases), a want of certificated teachers, and need of inspection. In these circumstances it appears most inexpedient to introduce a Bill involving large rating powers, and other consequences much to be deprecated, for the purpose of remedying evils that could be easily met under the present system."

Through the courtesy of the noble Duke in consenting, on the appeal of his noble Friend (the Duke of Marlborough), to postpone the Committee on the Bill until after the meetings of the Commissioners of Supply the opinions of those important bodies had been expressed and, as a sample of a great number of them, he would refer to the Petition of the Commissioners of Supply of the county of Lanark. After remarking that 72 per cent of the children attending school were being educated at voluntarily-supported schools, they came to this conclusion—

> "That on the whole your Petitioners consider the extensive alterations proposed by the Bill to be unnecessary and uncalled-for, and to be such as can do little good, and may do much injury, to the educational interests of Scotland, while they will increase the burden of local taxation to a very large extent."

The Commissioners of the counties of Inverness, Aberdeen, Renfrew, Dumfries, Ayr, Linlithgow, Edinburgh, and Haddington had also petitioned against the Bill; while those who had petitioned partially in its favour suggested such important modifications that were they carried out the noble Duke would hardly be able to recognize the measure. As far as he had been able to ascertain nineteen county meetings were opposed to the Bill, while at six no action was taken or the subject was referred to sub-committees, and as to eight nothing could be stated. The Free Church was by no means unanimous in favour of the Bill, for the Free Church presbyteries of Aberdeen and Ayr had petitioned against it; while those of Glasgow, Dundee, Chanonry, Garioch, and Lockerbie, as well as the Synod of Ross, wished for amendments, the absence of provision for religious teaching being one of the objections. He hoped he had now stated sufficient to explain why he entertained his views as to this Bill. He had shown that the school attendance was not unsatisfactory, that the condition of the parochial schools was efficient, and that the Bill would dry up the large amount provided by voluntary efforts. He had shown that the Commissioners of Supply in many of the counties were entirely opposed to the measure, while the great majority were opposed to material parts of it, and the Education Committee of the Church of Scotland, as well as several Free Church congregations, were also opposed to it. He contended that the present system should be upheld and extended, and that the voluntary system which had so long flourished should be encouraged, and that, above all, a system which provided religious instruction should be maintained. To quote the concluding paragraph of a work by a minister of the Established Church, which ably summed up the case—

> "I believe that the question comes to this as regards religion — Shall we have a denominational system as at present, and Christian instruction, or an undenominational, as the Act provides, and, in the course of not very many years, secularism —such secularism as consists not in the utter banishment of Christianity from our schools, but in its banishment from the sphere which it has hitherto occupied in our national education as a basis of school training, and the supreme rule of conduct? The loss of Christian instruction in our schools would be a disastrous event to the country, but still more the loss of that religious spirit which our present system tends to infuse into the up-bringing of the young. 'Godly up-bringing,' our fathers called it; and to the element of religion which they introduced in Scotland, and which they faithfully preserved, is mainly due to the greatness of our country."

THE DUKE OF ARGYLL said, he must admit that the noble Duke (the Duke of Richmond), holding such opinions on this Bill, was fully entitled to express them at the present stage; but he must not think it was from any want of respect if he declined to follow him in discussing the general principles of the measure. The greater part of the noble Duke's speech had, however, referred to points on which he thought he should be able to offer full explanations in Committee; and he hoped also to be able to show that the noble Duke's argument with regard to finance and to the ironmasters was not well founded. He (the Duke of Argyll) however wished to refer to one matter only. The noble Duke had told them that his first intention was to persuade the House to refuse to go into Committee on the Bill, but that Friends whom he had consulted had advised him that such an almost contemptuous rejection of the Bill would amount to a breach of faith. For his own part he (the Duke of Argyll) thought it would be much more than that. For, considering the circumstances under which the Bill was introduced in this rather than in the other House, and the feeling which he believed existed among the Scotch Members, who, after all, represented the national feeling more than Presbyteries or even Commissioners of Supply did, it would have been most detrimental to the character and reputation of the House if it had not shown a willingness, and even a desire, to go into a full discussion of the details of the measure. He hoped the House would not expect him to say more until they got into Committee.

Lord CAIRNS said, there were many details of the Bill which might be better considered in Committee; at the same time there were some matters which were left open for explanation on a previous occasion, and as to which he thought their Lordships should have some explanation now. The noble Duke, in introducing the Bill, expressed an opinion that it would be largely acceptable in Scotland, and that, although it might not meet with universal approval, it would be accepted, throughout the country, as a compromise of a very difficult question. Their Lordships probably shared that anticipation, and had it been verified they would have been spared much labour and anxiety. But as far as he (Lord Cairns) could judge these expectations had been by no means realized; for, as it seemed to him, in Scotland, the Bill had encountered by no means so favourable a reception as the House were led to expect. Large bodies of persons were altogether opposed to it; and even those who to some extent approved it asked for important amendments, hardly any two of them agreeing as to the amendments they required. The consequence is that, taking only the Petitions that are in favour of the Bill, there was hardly any part of the measure which one or other of the Petitions did not ask for an alteration in, and this rendered it difficult for the House to decide how this important question could best be settled. There was one point which went to the root of the Bill—the turning point on which the rest must hinge—he meant of course the financial question; and at an earlier stage he expressed a hope that, at a subsequent stage, the Government would state the grounds on which they believed a maximum rate of 3*d.* in the pound would suffice to work the machinery of the Bill. Before going into Committee the House ought to know how far that estimate could be relied upon. Now, his noble Friend (the Duke of Richmond) had quoted a very remarkable statement, showing that in seventy-one out of 154 Highland and island parishes a 3*d.* rate would be wholly inadequate—the rate, moreover, being most inadequate in the very parishes where it was most wanted. [The Duke of Argyll said he was prepared to show in Committee the fallacy of these statistics.] No doubt the noble Duke would be prepared to give some explanation—but, as an example, he might take the case of Jura and Colonsay. A 3*d.* rate would, according to this statement, produce £69 15*s.* 7*d.*, while the necessary expenses of the various schools, allowing for Privy Council grants, would show a deficiency of £364, so that not only a rate of 3*d.* would not be sufficient, but even a 1*s.* rate would be insufficient. There were many other cases of the same kind. There was another point to which he wished to call the attention of the Government; for, on the second reading, the noble Duke (the Duke of Argyll) referred to it as a point on which the Government might be induced to change their opinion. The principle of the Bill was to reduce, so far as possible, all the schools of Scotland to the one uniform level, which might be described as the level of the new national schools. There were three different classes of schools. First, there was the well-known old parochial schools; in the second place, there were the schools supported mainly by voluntary contributions and receiving also the Council grant; and, thirdly, there was the class of new national schools to be supported by rate. Now, the mode adopted by this Bill to reduce the two first classes to the same position as the third, was a process of what might be termed rewards and punishments. If the heritors would agree to place the parochial schools under the new system, instead of the upper heritors only being rated, the rate would be spread over the whole body of heritors; but if they did not entirely submit to the new regulations they would still be liable to an order to re-build the school or master's house, for which they would be rated on the old principle. Then, again, if the denominational schools did not, within twelve months, come in as "adopted" schools they would forfeit the Government grants—a severe penalty, which would extinguish many if not all of them. They might be brought in and remain subject to the old management; but, in that case, they were not to share in the rate and would only receive Government assistance, while the liability to an order to re-build the school or master's house would remain. The result of this would be to establish a system different from that which existed, or had even been suggested in any other part of the United Kingdom. The systems which had been tried were these—In England large public grants were made to schools connected with various denominations; in Ireland to schools complying with certain conditions, the managers being allowed to add religious education at separate hours from the secular instruction, so that no child might be forced to receive the kind of religious instruction of which his parents disapprove; a purely secular system had likewise been advocated, the rate being applied for the general education of a parish or district, and no religious instruction being given. The present proposal differed from all these; for though there was no provision with regard to religious education, its principle was this, that the majority of any parish, represented by the school committee, were to decide whether any religious instruction should be given in all the schools supported by the rate, and of what kind that instruction was to be. It was, therefore, a denominational system, with this peculiarity—that the denominational character which the education was to assume was to be fixed by the majority of the parish, represented by the local committee. What was to become of the minority? That was a most important element in the Bill, and it ought to be fully considered by Parliament. In this country the minority were under the denominational system perfectly protected, and they had their religious training as completely provided for as the majority had theirs. So also in Ireland, except in cases where the minority were so exceptionally small in numbers as not to warrant a separate school. By this Bill, however, all the inhabitants of the parish were to be taxed alike, but with this difference—that the majority were to have their religious education, but that the minority were not to have theirs. Let their Lordships observe the consequence. There were parishes in Scotland where the minority were Roman Catholics; there were others in which the minority were Episcopalians; but there were others in which the minority were Presbyterians. He knew some parishes in Invernessshire, and he believed there were some in Aberdeenshire, where the Roman Catholics were in the majority, and others in which the Presbyterians were also certainly in the minority. Suppose the two cases occurred side by side, the Roman Catholics being in a majority in one parish and the Presbyterians in the adjoining parish. How would they justify a state of things in which both were to be taxed alike, but in which the children of one sect would go to the school of the majority and receive a religious training according to the wishes of their parents, but the children of the minority must go to a school where they would either receive no religious instruction at all, or such instruction as their parents must disapprove of. He understood the noble Duke to say that he would provide by the Bill that, along with these national schools, there should be continued, not only for a certain time but always, public grants for other denominational schools. That might in some measure obviate the difficulty; but he owned that the system appeared to require very serious consideration. The Preamble of the Bill declared that it was desirable that the present system of parochial schools in Scotland should be extended, enlarged, and improved. He confessed, however, that he had not been able to find anything in the Bill that would extend, enlarge, and improve the present system of parochial schools in Scotland. On the contrary, he saw that the Bill from the beginning to the end tended to put an end to the parochial schools of Scotland. That country was famous for the education given in these schools, and one of the greatest calamities that could befall Scotland would be that this education should be impaired. There could be no greater mistake than to suppose that the parochial schools of Scotland were merely primary or elementary schools. In many districts they supplied the place of middle-class schools and seminaries. There could be no doubt that the Universities of Scotland were largely recruited from her parochial schools; and young men who had highly distinguished themselves had often proceeded direct from these schools to the Universities. It was proposed by the Bill to bring these schools under the direction and management of local school committees, chosen half by the occupiers and half by the heritors. The present system of management had been extremely advantageous, and had led to the celebrity and distinction of these parochial schools. Was it certain they would improve under the management of local school committees? What was the experience of such committees? In the Report of the Schools Commission there appeared an interesting statement from the Sub Commissioner, who reported upon the state of the schools of Canada and the United States, which were under the management of local committees. He said that in Upper Canada, where the trustees were men who took an interest in the schools, and were really competent to discharge their duties, there was no room for complaint. In many places, however, and especially in some rural districts, the trustees did not enter the school more than once a year. He had heard that some of these managers could hardly write their own names, and were quite illiterate. One of the Canadian superintendents told the Assistant Commissioner that the great body of the school managers were remiss in the performance of their duties through an entire ignorance of the nature of those duties. For anything to the contrary in this Bill, the whole of the school committees who were to manage the parochial schools might be men who could neither read nor write. Was it desirable to hand over schools so efficient and so celebrated to a management of that kind? But that was not all. He observed that it was proposed by the Schedule that due care should be taken that the existing standard of education should not be lowered, and that, as far as possible, as high a standard should be maintained as in all the national schools of Scotland. Did that mean that the same average standard should be maintained as to the whole of the elementary education, or that the standard which now existed in the elementary and secondary schools should be kept up. These were questions not arising from any particular clauses, but which were well worthy the consideration of their Lordships. They were asked to take a step which, under certain checks and provisions, might be advantageous, but which was a step of the gravest importance to Scotland, and a mistake might produce evils which every person connected with Scotland would regret,

THE EARL OF DALHOUSIE said, he would not follow the speech of the noble and learned Lord—indeed he feared they were getting into an irregular discussion. The question before their Lordships was whether they should go into Committee on this Bill or not. As far as the noble Duke (the Duke of Richmond) was concerned he was perfectly justified in the speech he had addressed to their Lordships, because being unavoidably absent he had had no opportunity of discussing the principle of the Bill on the second reading, and therefore he had fairly availed himself of the present occasion. The noble Duke stated that it was originally his intention to move that the Bill be committed that day three months, but that, on consulting with his Friends on his side of the House, he had determined not to oppose the Motion to go into Committee. The noble Duke, however, could not have consulted with the noble and learned Lord who had just delivered so strong and emphatic an address against the principle of the Bill. He put it to the noble and learned Lord whether, in the position which he occupied, he was not incurring the risk of establishing a most inconvenient precedent by debating over again the principle of a Bill on the Motion for going into Committee upon it. He trusted that their Lordships would proceed in the ordinary course; because he was certain that the noble Duke who had charge of the Bill would be quite ready to discuss every question and every detail when the particular clause came before their Lordships in Committee.

LORD COLONSAY said, he thought that the noble and learned Lord (Lord Cairns) had chosen the most convenient moment for offering to their Lordships the general observations which suggested themselves to his mind. He thought the noble Duke ought now to give some sort of explanation as to the grounds upon which the rate that had been fixed had appeared to be a sufficient one.

THE DUKE OF ARGYLL said, that the paper to which the noble and learned Lord (Lord Cairns) had referred had been circulated among their Lordships within the last few days only. It was drawn up nominally by the General Assembly's committee, but really by Mr. Laurie, their secretary. When the paper came into his hands he saw in an instant that the whole statement proceeded on a fallacy, and he referred it to the Financial Secretary of the Privy Council, who had prepared a statement in reply to it, which he would lay on the table that evening. He should be prepared to show that the calculations of the noble and learned Lord were vitally fallacious. Mr. Laurie assumed that new school buildings would be required for every existing school, however small. With regard to the parishes with which he (the Duke of Argyll) was acquainted, every item of Mr. Laurie's finance was absolutely erroneous. The finance of the scheme had been gone into most carefully by the Commissioners, who had a full knowledge of all the facts of the case, and they certainly were not likely to make the gross blunders alleged by Mr. Laurie. The calculation on which the Bill was based was that the 3*d*. rate, supplemented by double Privy Council grants, and the fees varying from 4*s*. to 5*s*. and 6*s*., would give £1 a head for every scholar, which would be amply sufficient for the poorest parish in Scotland.

THE DUKE OF MARLBOROUGH had some reason to know that the statement made by the Privy Council Office had reference to the salaries given to female teachers under the General Assembly of the Church of Scotland. The average salary of uncertificated female teachers was £41. Their number was not three, as stated, but seventeen, and therefore £15 or £16 was required to be added to each; in other words, about £300 was required to be added for the entire number of female teachers, and to raise the number of uncertificated male teachers to the average of £55 would take a sum of £1,150.

After a few words from the Duke of MONTROSE,

Motion *agreed to;* House in Committee accordingly.

Lord Colonsay

Clause 1 (Interpretation Clause).

THE DUKE OF ARGYLL said, he wished to make a very few observations with respect to the Central Board. He had not placed on the Paper any notice of Amendment with regard to the constitution of that Board; but other noble Lords had done so. One of the Amendments of which notice had been given by his noble and learned Friend (Lord Colonsay), adopted the principle of an elective Board; but with the addition of certain members; the object being that the proportion of members who represented the ratepaying interest, as compared with the purely professional members should be increased. Now, if the House preferred the elective principle, he (the Duke of Argyll) should be ready to accept his noble and learned Friend's Amendment. But, besides that Amendment, two suggestions had been made on his own side of the House, pointing to the conclusion that the Board should not be elective but nominated. Now, without at all desiring to give any pledge as to the course which the Government might take in "another place," where possibly another view might be taken of this particular part of the Bill, he wished to say that, if in the opinion of a majority of the Scotch Members of their Lordships' House, it should be considered that a nominated Board would be preferable, he should be prepared to bring up a clause on the Report, substituting a nominated for an elective Board. He said this with the view of saving a considerable amount of discussion. Of course, in regard to the payment of the members, he could not enter into that question. He did not wish to go to the Chancellor of the Exchequer and tell him to put his hand into his pocket too often; or to act on the advice given to the late Sir George Sinclair by one of his constituents immediately after he had been elected for Caithness—"Now, my advice to you, Sir George is—be aye take-taking what ye can get, and be aye seek-seeking till ye get mair."

LORD CAIRNS wished to know if he rightly understood that the arrangement proposed by the noble Duke was without prejudice to the course which the Government might take in "another place." [The Duke of ARGYLL: Yes.] He never heard of such a proposal—that the Government should make a proposal to their Lordships' House and hold themselves at liberty to make a different proposal to the other House of Parliament.

The Duke of ARGYLL said, it was possible that another view might be taken of this matter by the House of Commons. He did not attach great importance to the principle, and was prepared to make the Board nominated instead of elective; it was a mere point of detail. He hoped the discussion would be conducted in a temperate spirit, and that advantage would not be taken of a single expression with a view to give this the appearance of a party discussion.

The Duke of RICHMOND assured the noble Duke that no one could approach this question with a greater desire for fairness and moderation than himself; but he must point out the very great inconsistency of the tone adopted by the noble Duke. Had, or had not, the Government made up their minds on the Bill now under discussion? It was a Bill brought in by the noble Duke on the authority of the Government, at an early period of the Session. The noble Duke described it as a very good Bill, which ought to pass; but, possibly some of his Colleagues might ultimately not agree with him, and the fate of the Bill would depend, not on what he thought, but on what his Colleagues in "another place" thought. This, however, ought to have been decided long ago. It was not respectful to the House that the Government should introduce a Bill on which they had not made up their minds, and then say—"We are ready to assent to a modification of the Bill in the House of Lords, but we will not promise to adhere to it in the House of Commons." If the noble Duke in this House adopted an alteration of the Bill, substituting one arrangement for another, he was bound, and his Colleagues in the other House also were bound, to adhere to that alteration.

Earl DE GREY and RIPON thought the noble Duke who had just spoken took a somewhat unusual view of the duty of the Government, because he said that, after having come to a determination on the details of the Bill, they ought, if the House changed any of those details, to adhere to their own decision. Now, if his noble Friend had said that he would adhere to every detail whatever might be the decision of their Lordships, he would justly have been obnoxious to the charge of assuming a dictatorial tone. What he understood his noble Friend to say was that, if it should be the opinion of the House that a nominated Board would be preferable to an elected Board, he would be prepared, in deference to the opinion of the House on a point which he did not deem important, to accept an Amendment to that effect. His noble Friend added that the question was one in respect to which the other House might have an opinion of its own, and might approve a scheme different from that approved by their Lordships' House.

The Duke of MARLBOROUGH wished to point out to their Lordships that a grave constitutional principle was involved in the principle laid down by the noble Duke the Secretary for India, for it appeared that if there should be a general concurrence of opinion among their Lordships as to the principle of the appointment of the Central Board, he was prepared to adopt it; but if the other House did not think the change advisable he would be prepared to abandon it. The noble Duke was bound to have brought the matter under the consideration of his Colleagues, and to have obtained their sanction to a precise course; for it would be extremely inconvenient, after the Bill had passed their Lordships' House, to have it brought back again, at a time when the attendance of their Lordships would be comparatively thin, with their Lordships' decision reversed on this particular point.

The Earl of AIRLIE said, he thought that his noble Friend the Secretary for India had made a very fair proposal. He said that if, with regard to the constitution of the Board, their Lordships should prefer nomination to election, he should accept it; but he said it was very probable that the other House might take a different view. He had heard it stated that the Bill was unpopular in Scotland, but having taken the pains to ascertain the opinion of the different great bodies in that country, he found that the great majority of them, though they might differ as to the details of the measure, agreed in approving its principle.

Lord KINNAIRD observed that the noble Duke the Secretary for India had only said that, as there were to be paid members on the Board, the constitution of the Board must in a great measure depend on the sanction of the House of Commons and of the Chancellor of the Exchequer. He would suggest that the Amendments respecting the constitution of the Board might be considered on the Report.

LORD CAIRNS said, the Amendment to convert the Board into a nominated Board might now be passed, if the noble Duke the Secretary for India were satisfied that the Government approved it. Of course, the Government could not promise that the House of Commons would support the Amendment; but it was to be expected that the Members representing the Government in that House would support it. It would be proper that their Lordships should know whether the Board was to be paid or not, because upon this question might depend the efficiency of the Board, and what was to be proposed in the other House of Parliament by way of payment. He did not see that there would be any difficulty in letting their Lordships know the view of the Government upon this subject.

THE DUKE OF ARGYLL said, he would agree to bring up a clause on the Report, substituting a nominated Board for an elected Board.

Clause *agreed to.*

Clauses 2 to 14, relating to constitution of "the Board of Education" *struck out:* and two clauses, moved by Lord KINNAIRD, inserted in lieu thereof. The new clauses provide that "The Board of Education for Scotland" shall consist of three persons to be appointed by Her Majesty by writing under the hand of a Secretary of State; and of a Secretary, to be appointed in like manner.

Clauses 15, 16, 17 (*Parochial Schools*).

Clause 15 (Parochial and Parliamentary Schools shall be "old national schools" and shall continue to be managed as at present) *agreed to.*

Clause 16 (Union of Parochial Schools).

LORD ABINGER moved an Amendment that "it shall be lawful for the school committee or heritors to employ any teacher in any school within the bounds of their parish so long as they pay the salary as above."

Amendment *agreed to.*

Clause 17 (Side schools) *agreed to.*

Lord Kinnaird

Clauses 18 to 26 (*Power to adopt or erect Schools*).

Clause 18 (Board to fix as to each parish or burgh the number of schools required) *agreed to.*

Clause 19 (Board with the sanction of the Lords of the Treasury, may appoint special commissioners) *agreed to.*

THE DUKE OF RICHMOND moved that the clause be struck out. He objected to the appointment of special commissioners to do the work of the Board. There should be an efficient Board appointed, and let them do their own work.

THE DUKE OF ARGYLL said, that one of the most important duties which the commissioners would have to decide would be the geographical position of the schools. It would never do for the Board to be travelling all over the country to settle that to the neglect of other duties. It was essential the Board should have power to appoint special commissioners to do that work and report to them.

EARL DE GREY AND RIPON said, there would be a great deal of special work to be got through the first two or three years after the Act came into operation, and therefore it would be desirable to give powers to appoint persons to attend to it. When that work ceased their Lordships might rely upon it some one would in the other House object to the continuance of the salaries as a charge on the Estimates.

Clause *agreed to.*

Clause 20 (Board with the sanction of the majority of the trustees, managers, or proprietors, of any school, may adopt any school).

THE DUKE OF ARGYLL said, that as this was a most important clause, he desired to say a few words upon it. But he would first reply to the observations which had fallen from the noble Duke (the Duke of Richmond) and the noble and learned Lord opposite (Lord Cairns). Their Lordships would remember what he had said in introducing this Bill, and also upon other occasions, when the subject of education had been under discussion. He had never entertained a strong opinion against the denominational system of education,—on the contrary, he had always thought that many advantages accrued from the young being educated in connection with definite systems of religious belief. But the Commission which sat in Scotland came to the conclusion that it was desirable to put an end to denominational schools for the future, mainly on two grounds—first, because, as conducted under Privy Council grants, denominational schools were incapable of occupying the whole field of education; and, secondly, because, as far as Scotland was concerned, such schools were wholly unnecessary for the security of religious teaching. These were the two grounds—one of them arising out of a general principle, and the other out of the peculiar circumstances of Scotland—upon which that body came to the conclusion that denominational schools ought to be stopped. As regards the first point, the noble Duke (the Duke of Richmond) had read some extracts from the Report of the Commissioners which were in favour of the denominational system; but the House would probably come to the conclusion that the noble Duke had culled his extracts in such a manner as not fully to represent the matured opinion of the Commissioners, who, in point of fact, arrived at the conclusion that the continuance of the denominational system was unnecessary in Scotland. He would read to the House certain other paragraphs, showing clearly the opinion of the Commissioners as to the inadequacy of the denominational system to undertake the education of the country. That inadequacy had, indeed, been proved both in the rural districts and in the great cities. He could speak from experience as to the rural districts, and could assert that, as regards those parts of the county with which he was acquainted, it had been a complete failure. The very principle of it was, in fact, to give to the rich, and to withhold from the poor. When the system was brought forward by his Friend the late Lord Lansdowne and Sir John Kay Shuttleworth, he expressed his opinion that, if positive rules were not laid down as to geographical distribution, the grants would be hurtful rather than beneficial to the country. Unfortunately, the Privy Council did not then think themselves strong enough to act upon that advice. They were obliged to give grants whereever they were asked for by religious bodies. The Commissioners, however, pointed out that in the poorest counties, where the population was sparse, there was a very small amount of Privy Council grants, the percentage being highest in the richest counties and smallest in the poorest counties. The evidence was conclusive, therefore, that the system was not calculated to provide for the educational wants of the country. In their Report the Commissioners said—

> "From these facts it is abundantly clear, not only that the system of Privy Council grants is partial in its operation, but that while those districts which are most competent to provide themselves with schools receive considerable aid for this purpose from the Treasury, those districts which are less competent to contribute for schools receive little or no aid."

There was also in the Report a paragraph referring to Glasgow, drawn up by no less distinguished a personage than the late Mr. Cook, the Procurator of the Church of Scotland. It was as follows:—

> "In the meantime we observe that these facts prove that the voluntary system has hitherto proved utterly inadequate to effect the education of the masses of the population in our large towns. As far as the principle of supply and demand can operate in such a matter it might be expected to operate in Glasgow as fully as anywhere, and it has done so. There is no want in that city of schools, where an education of a high class can be got at an adequate price by those who wish for it; but more than this, there is no reason to doubt that Christian zeal and benevolence have operated as freely in Glasgow as they can be expected to do anywhere in providing a sound education, well adapted to the real wants of the lower orders. Sessional schools, under the management of the kirk-session of the Established and Free Churches, are to be found in every district, and, with few exceptions, are admirable schools. There are, besides, many endowed and free or charity schools in the city; and all of these, as well as the sessional and mission schools, are doing much good. But all of these schools are far short of providing the necessary accommodation for the numbers who ought to be at school."

He believed that in Glasgow—one of the largest cities in the kingdom, where the merchants were distinguished by their liberality, and the religious bodies by their Christian zeal—it was a notorious fact that the denominational system had completely failed to provide for the educational wants of the locality. He wished to draw attention to another important point. Where the denominational system of education really existed, it was perfectly useless as regarded the religious instruction of the people. The evidence given before the Commissioners was to this effect—that the children of all Churches, without exception, repaired to the parish schools, or to the

Episcopalian schools, or to the United Presbyterian schools, or to any other schools where they could get the best education. The parents did not care one whit as to the religious denomination of the school, provided their children obtained a good secular education there. Of course, while the *Shorter Catechism* was taught in all the parish schools to all children of the different Presbyterian denominations, the Roman Catholic children were specially exempted from instruction in that catechism. His noble Friend on the Bench below (the Earl of Denbigh) had made a special appeal in respect to the case of the Roman Catholics. Now many of their Lordships might not, perhaps, be aware of it, but it was nevertheless the fact that not only was there a very large number of Irish and other Roman Catholics congregated in our great cities, but there were certain districts in Scotland where the population were still mainly Roman Catholics. That was the case especially in the Hebrides, in some of which group of islands as many as five-sixths of the inhabitants were Roman Catholics. Yet there was not a single Roman Catholic school there; and why? Because the Roman Catholic priesthood had perfect confidence in the education given in the parish schools. Many years ago, when much excitement existed in Scotland in relation to the measure of 1829 for the removal of the disabilities of the Roman Catholics, a "direction" was issued by the General Assembly of the Church of Scotland that, in all cases, the children of Roman Catholic parents were to be allowed the free use of the parish schools without any injunction being laid on them to go through the religious instruction. And so fully had the Roman Catholic population benefited by that direction, that without difficulty, and without the loss of a single family, as he had heard, to the communion of the Church, they had uniformly resorted to the nearest parish school for the education of their children. With regard to the Episcopalians, he had a remarkable Return, showing that in their case also it was utterly unnecessary that there should be any special denominational schools for the instruction of their children. The figures given before the Commissioners were very remarkable. Out of 6,000 scholars attending the Episcopalian schools, only 1,929 belonged to their own communion, while the rest, or about 4,000, belonged to other religious communions; and the vast majority of the Episcopalian children—a mere fraction of the total number of children in Scotland—were educated in the parish and other Presbyterian schools. Therefore, in respect to the giving of instruction in connection with the various religious bodies in Scotland, the evidence was overwhelming that it was not required, either by the wants of the country or the prevailing feeling of the people, and that no disposition existed on the part of the people to send their children only to schools exclusively confined to their own religious denomination. Of course he admitted that when they went higher than elementary education, and what were called the "three R.'s," there might, in some cases, be danger of proselytism; but he believed that the conduct of the parish schools of Scotland had been highly honourable in that respect. With regard to the security for religious education, it was supposed that at this moment by law the *Shorter Catechism* had to be taught in the parish schools. There was, in fact, no such law whatever. In any parish the heritors might exclude the *Shorter Catechism* from the course of instruction. Up to 1861 there was a nominal connection between the parish schools and the ecclesiastical judicature of the Church, but since that date even that connection has been severed; the jurisdiction was absolutely removed from the presbyteries of the Church to the sheriffs of the county, and there was no statutory provision for religious education. The only condition of that kind was as to the master of the parish school. In 1861, when the test of membership in the Established Church was repealed, it was provided that the schoolmaster should make a declaration that he would not teach anything contrary to the *Shorter Catechism*. Nothing in the present Bill did away with that proviso, which would remain in force precisely as it now stood. Again, the maintenance of a denominational system was not easily reconciled with the principle of schools supported by rates. Supposing in any parish it was determined by the inhabitants, in conjunction with the Board, to establish a school supported by them, the school might be very flourishing; but in a few years a rival school might be set down alongside of it, rendering nugatory all the burdens they had laid on them; and that rival school might be assisted by large grants. It was obvious that the two systems could not be carried on together, except during a period of transition. Practically that Bill provided that during a period of transition both the parish schools should continue as they were, and the denominational schools also where they were required by geographical circumstances, and were working well. That was a most rational compromise to be recommended by the Commissioners as between rival parties. With respect to the state of feeling in Scotland, he had had full confidence in the reception of the measure in that country, because the Commission was composed of eminent men representing all parties, and he had some reason to believe that if the late Government had continued in Office, a measure like this would have been introduced by their Lord Advocate. The House would do him the justice to remember that he concluded his speech on bringing forward the Bill by an appeal to the various religious bodies in Scotland, to waive the extreme and exaggerated stress which might be laid on some individual points for the sake of arriving at the great general result which would be desirable in the true interests of the country. There had been some Petitions presented against the Bill from the Presbyterian Synods, and some from the Commissioners of Supply—very respectable bodies, certainly; but there had been none from any great meeting of the people of Scotland. His belief was that the great mass of the laity were deeply interested in the success of the Bill, and viewed with extreme jealousy any measures taken to procure its defeat. Several deputations from Scotland waited upon him, one deputation asking for a change in one direction, and another deputation for a change in another. He asked them all whether they desired that the Bill should be given up if their particular views were not carried out? The answer invariably was that they were not prepared for that, and that they were anxious that the Bill, in any case, might pass. Looking upon the present clause as an important corollary of the Bill, he hoped that it would be agreed to in its present shape.

THE DUKE OF MARLBOROUGH said, that the noble Duke (the Duke of Argyll) had quoted some passages of the Report to show that, in the opinion of the Commissioners, the denominational system was inadequate to supply the educational wants of the people of Scotland, and that it was unnecessary under the actual circumstances. There were, however, contradictory statements on this subject in the Report of the Commissioners, and in the speech of the noble Duke which was founded on it, which greatly puzzled him. The great preponderance of opinion in the Report recognized the value and importance of voluntary efforts in promoting the education of the people of Scotland at the present time, and the great injury to Scotland if anything should quench or destroy the operation of that system. The Commissioners recognized the great importance of all existing schools, and said that they were all wanted. But, because the denominational system did not altogether supply the wants of Scotland, the noble Duke would put an end to it and drive it away altogether, as a system which ought not to exist side by side with a national system of education. There was, however, no authority in the Report for proceeding on an assumption of that kind. Did it follow that because a system was deficient they were to sweep it away altogether? The noble Duke in his previous speech admitted that the existing schools were necessary, and that the Commissioners said they were. In the poorer districts the power of the Government was to be called in to provide schools; but it was unreasonable to contend that schools should not be allowed to remain in existence in the richer districts where they were supported by voluntary contributions. It appeared from the Report that out of 4,451 schools in the rural districts, 1,133 were parochial schools, and 910 adventure schools—leaving 2,408 which were supported by voluntary efforts. The Commissioners reported that for the most part these schools were all wanted, and that they represented a large amount of individual, local, and religious energy; and they say that to desert this system, with all its advantages, would be extravagance; while to leave things as they were would be to perpetuate defects. The noble Duke asserted that the denominational system was inadequate to supply the wants of Scotland; but he (the Duke of Marlborough) thought it was proved from the Report, that with the exception of certain barren and desolate tracts of country, it had raised the standard of rural education as high as in Prussia. The fallacy of the noble Duke's argument lay in this—that because the denominational system was admitted to contain certain defects, therefore it must be altogether exterminated. He did not know what authority the noble Duke had for this proceeding—he certainly did not obtain it from his Colleague the Chancellor of the Exchequer, who had expressed his opinion in favour of retaining the voluntary system where it existed. The noble Duke said that religious rivalry had created schools in superfluous situations. But in introducing the Bill he said that though religious rivalry had produced numerous schools they were not too numerous for the wants of the country, except, perhaps, in one or two instances. Then the noble Duke commented on the evils of the denominational system in procuring educational grants for the richer parts of the country and not for the poorer. But he (the Duke of Marlborough) thought the object of the Bill was to correct that evil, because under it Commissioners would go about the country to mark educational deficiencies, and the power of the Government would be put in force, wherever there was a deficiency, to call upon the locality to provide schools. The noble Duke, in bringing in the Bill, laid great stress upon the labours of the early Reformers; but what was the essential characteristic of the system of education they supported? It was the denominational and national system—because they knew that in promoting the denominational system they secured the religious character of education. He would ask their Lordships to consider what was the amount of money raised under these denominational efforts. The Commissioners stated that of the 4,451 schools in Scotland 1,133 were parochial schools, 910 were adventure schools, and 1,500 were in receipt of Privy Council grants and voluntary subscriptions to the amount of £42,077. There were, in addition, 2,408 schools which were not supported by Privy Council grants, and which depended entirely on voluntary subscriptions. The Bill would, therefore, inflict considerable discouragement upon voluntary effort, which would be *pro tanto* a great misfortune to the country. The Commissioners recognized the great importance of dealing with denominational schools, and thought it necessary to place them in a medium position, which they did by calling them "adopted schools." Would it not be sound policy to allow these voluntary bodies to have this small modicum of encouragement? The Bill, however, as it stood, impolitically and churlishly prevented these schools from taking advantage of the Privy Council grant or the rate if they were established two years after the passing of the Act.

THE EARL OF AIRLIE thought the Chancellor of the Exchequer was the last person that ought to be quoted in favour of denominational schools, as he had persistently been opposed to voluntary effort supplemented by Privy Council grants, and was always in favour of the rating principle. The noble Duke (the Duke of Marlborough) argued as if voluntary effort was a good thing in itself; but for his part he (the Earl of Airlie) could not help regarding the national system of education, based on rates to which every one contributed his proper share, as greatly preferable to any system which depended on the efforts of a few benevolent individuals contributing more than their fair quota, and supplemented by grants from the Treasury. The result of that system was that the poor were taxed to educate those in a richer district who could very well afford to pay for their own education. To argue in favour of the denominational system was, in his view, to oppose the true principle of the Bill. The deputations who had come to London on this subject, so far as he had been able to learn, had expressed themselves strongly in favour of the national, as opposed to the denominational system. The adoption of the proposed Amendment would entirely change the character of the Bill, and render it so unpopular in Scotland as to endanger its passing.

LORD KINNAIRD said, that whenever from local circumstances, such as the discovery of ironstone, or, as in Sutherlandshire, from the discovery of gold, there was a great influx of population into a district, the owners of property were always ready and anxious to provide education for those in their employment; but this proviso would stop their hands and prevent them from adopting any of the denominational schools. He hoped his noble Friend would adopt this Amendment.

THE ARCHBISHOP OF CANTERBURY said, the noble Duke (the Duke of Argyll) had argued against the Amendment on the ground that in Scotland the denominational system practically did not exist—that was to say that there were denominational schools, but that children of all denominations attended them. But if that were so, where in the world was the harm of continuing them? If it were proved that the denominational schools were such as prevented the attendance of children whose parents did not belong to the denomination, he could understand why the noble Duke should be anxious to put an end to them; but if it were the happy peculiarity of that country that the denominational schools did not prevent the attendance of those who were not of the denomination, why in the world should they put an end to them? He hoped the noble Duke would accept the advice given by the noble Lord near him. It was a great mistake to propose a measure which brought them into collision with questions which affected England as well as Scotland. The noble Duke had laid down the principle that it was impossible to make denominational schools, even with the best constructed Conscience Clause, into national schools. But in England they were not prepared for such an assertion, where many people held the opinion that if the clergy would accept a Conscience Clause the denominational system might be converted into a national system. The noble Duke also maintained that it was inconsistent to have denominational schools and also rate-supported schools. It was impossible for those of them who supported denominational and rate-supported schools to assent to that proposition. But where was the harm? The noble Duke allowed denominational schools up to a certain date to be incorporated—why should he go out of his way to make it impossible for the founders of a school to come to terms with the Board after that period? It appeared to him that this clause was inconsistent with the general views entertained on education both in England and Scotland, and really stood in the way of the Bill; and he hoped the Amendment of the noble and learned Lord would be adopted.

THE EARL OF MINTO said, it was his belief that, to a great extent, the people of Scotland, always excluding the clergy and Commissioners of Supply, were strongly in favour of the principle of this Bill; and, in spite of what had been said by the most rev. Primate, he drew a wide distinction between the denominational and national systems. If there was one point more than another on which the people of Scotland had made up their mind, it was that they would not tolerate a system of denominational education under the control of the clergy and were in favor of a system of national education supported by local assessment, and in great measure governed by themselves.

THE EARL OF DENBIGH wished to say in reference to one statement of the noble Duke (the Duke of Argyll) that though it was true the Roman Catholics in some instances sent their children to the national schools, that was in districts where they were too poor to have schools of their own; but wherever they could the Roman Catholics sent their children to their own schools and to no other. He should certainly support the Amendment.

EARL DE GREY AND RIPON said, he did not share the opinion of the most rev. Primate that whatever principle they adopted with regard to Scotland would affect the principle of education to be applied to England, because education in Scotland was based on a very different principle from that in England. In Scotland they had long had schools supported by local compulsory assessment; in England schools were raised by voluntary subscriptions aided by State grants. The difference between primary schools in the two countries also held good in regard to secondary education. The grammar schools of England scarcely found a counterpart in Scotland; and as to University education, there could be no doubt as to the difference that existed between the Scotch and English systems. He had no fear, therefore, that if they adopted that system which appeared to be in accordance with the general desire of the people of Scotland they would necessarily be committing themselves in any degree to the application of the same principle in England. The noble Duke (the Duke of Richmond) spoke as if the intention of the Bill was to put an end to all denominational schools. That, however, was not the intention of the Bill. The Commissioners in their Report distinctly said they desired that a majority of those schools should be adopted as national schools under the Bill; and the question was, therefore, not whether those schools should be put an end to, but whether new denominational schools hereafter should be brought into the national system. He felt bound to resist the proposed Amendment.

Amendment *moved* to omit from the end of Clause the Proviso—

> "That no school which shall be founded after two years from the date of the passing of this Act shall be adopted as a national school."—(*The Lord Colonsay.*)

On Question, That the words proposed to be left out stand part of the Clause?—Their Lordships *divided:*—Contents 23; Not-Contents 68: Majority 45.

CONTENTS.

Hatherley, L. (*L. Chancellor.*)

Somerset, D.

Ailesbury, M.
Lansdowne, M.
Normanby, M.

Airlie, E.
Camperdown, E.
Clarendon, E.
De Grey, E.
De La Warr, E.
Kimberley, E.
Minto, E.
Morley, E.

Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Foley, L. [*Teller.*]
Lawrence, L.
Lyttelton, L.
Monson, L.
Panmure, L. (*E. Dalhousie.*)
Ponsonby, L. (*E. Bessborough.*)
Suffield, L.
Sundridge L. (*D. Argyll.*)

NOT-CONTENTS.

Canterbury, Archp.

Marlborough, D.
Norfolk, D.
Richmond, D.
Wellington, D.

Abercorn, M. (*D. Abercorn.*)
Bath, M.
Bristol, M.
Salisbury, M.

Amherst, E.
Bandon, E.
Bathurst, E.
Cawdor, E.
Denbigh, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Gainsborough, E.
Graham, E. (*D. Montrose.*)
Haddington, E.
Harrowby, E.

Home, E.
Lauderdale, E.
Leven and Melville, E.
Nelson, E.
Portarlington, E.
Powis, E.
Romney, E.
Rosse, E.
Stradbroke, E.
Tankerville, E.

Hawarden, V.
Templetown, V.

Derry and Raphoe, Bp.
Gloucester and Bristol, Bp.
Peterborough, Bp.
St. David's, Bp.

Abinger, L.
Arundell of Wardour, L.
Blantyre, L.
Bolton, L.
Brancepeth, L. (*V. Boyne.*)

Earl De Grey and Ripon

Cairns, L.
Chelmsford, L.
Churston, L.
Clifford of Chudleigh, L.
Clinton, L.
Colchester, L.
Colonsay, L. [*Teller.*]
Colville of Culross, L. [*Teller.*]
Denman, L.
De Saumarez, L.
Dunboyne, L.
Elphinstone, L.
Fitzwalter, L.
Foxford, L. (*E. Limerick.*)
Granard, L. (*E. Granard.*)

Heytesbury, L.
Kenry, L. (*E. Dunraven and Mount-Earl.*)
Ormathwaite, L.
Petre, L.
Redesdale, L.
Rossie, L. (*L. Kinnaird.*)
Saltersford, L. (*E. Courtown.*)
Saltoun, L.
Silchester, L. (*E. Longford.*)
Sinclair, L.
Sondes, L.
Stafford, L.
Strathspey, L. (*E. Seafield.*)

Proviso *struck out.*

Then, on the Motion of the Earl of MINTO, the following Proviso was inserted in lieu thereof:—

> "Provided also, that the trustees or owners of any adopted national school may at any time, on giving one year's notice to the Board, terminate the agreement and withdraw such school."

Clause, as amended, *agreed to.*

Clause 21 (Board may resolve to erect new schools).

THE DUKE OF RICHMOND moved an Amendment in line 4, before ("it") insert—

> ("It shall be the duty of the board, when it finds that one or more schools are needed, to make such want well known in the locality; and if within one year thereafter the board shall not be satisfied that sufficient accommodation for the whole or part of such want is to be provided by voluntary effort, then")

THE EARL OF DALHOUSIE said, he should have thought the noble Duke would have known his countrymen better than to suppose that they would provide by voluntary effort what was sure to be provided for by rates.

THE DUKE OF ARGYLL hoped that the noble Duke would be satisfied with the triumph he had already gained; that had opened the door to future denominational schools, but his present Amendment went still further.

LORD CAIRNS said, it was quite clear that it would be perfectly well known in the locality in which it was contemplated to make an order for the erection of new schools, and he did not, therefore, think his noble Friend's Amendment was necessary.

Amendment *withdrawn.*

Clause with Amendments, *agreed to.*

Clause 22 (School committee to take proceedings to erect school) *agreed to.*

Clause 23 (New schools to be "new national schools" and to be managed by school committee) *agreed to.*

Clause 24 (School committee may elect teacher, &c.).

THE DUKE OF ARGYLL moved an Amendment providing that the salary "shall not be less than £35 for the master of any school, inclusive of any sum derived from the Parliamentary grant."

Amendment *agreed to.*

Clause *agreed to.*

Clause 25 (Combined national school) *agreed to.*

Clause 26 (School committees may combine to employ teachers of special subjects) *agreed to.*

Clauses 27 to 31 (*Power to convert old or adopted national schools into new national schools*) *agreed to.*

Clauses 32 to 36 (*Maintenance and repair of national schools*) *agreed to.*

Clauses 37 to 41 (*Election and constitution of school committees.*)

Clause 37 (Election of school committees in landward parishes).

LORD ABINGER moved to strike out the clause and insert—

> "In every landward parish the school committee shall consist of the parochial board for the time being, with the exception of the minister and the members of the kirk session who shall not be ex officio members of the board, but they may become members if elected as representatives of the ratepayers in accordance with the provisions of 8th & 9th of *Vict.*, cap. 83, sec. 22."

He further proposed, should the parochial board consist of more than twenty members they shall elect not less than six or more than eight of their number to form a school committee.

THE DUKE OF ARGYLL suggested as a compromise that the school committee should be elected, one-half by the proprietors and the other half by the occupiers.

THE EARL OF DALHOUSIE approved the suggestion of his noble Friend. It was much better that the parochial board should not be mixed up with this matter.

LORD COLONSAY did not think the alteration suggested was quite satisfactory.

THE DUKE OF ARGYLL undertook to bring up a clause on the Report that would satisfy his noble and learned Friend.

Amendment *withdrawn.*

Clause *agreed to.*

Clauses 38 to 51 *agreed to.*

Clauses 52 to 58 (*Jurisdiction of the Board in respect to teachers*).

Clause 52 (If the Board on inquiry consider the teacher of an old national school incompetent, or morally unfit, they may permit him to resign, or may issue an order suspending or removing him from office).

THE DUKE OF BUCCLEUCH moved to add, before the word "suspend," the words "admonish or censure," with the view of empowering the same authority as was empowered to suspend a schoolmaster to adopt the alternative of admonishing or censuring him.

THE DUKE OF ARGYLL assented to the Amendment.

Clause, as amended, *agreed to.*

Clauses 53 to 67 *agreed to*, with Amendments.

Clause 68 (Grant for maintenance).

THE DUKE OF MARLBOROUGH, in moving to omit the word "national," with the view of enabling the Privy Council to continue to give grants in aid to the existing voluntary schools, said that it was of the utmost importance that the schools now supported by voluntary efforts should be maintained; but, then, among them there were many denominational schools, especially those belonging to the Roman Catholics, in whose case there would be great jealousy on the part of the managers with respect to placing them under the control of the Board, and subjecting them to the general conditions which the Bill would impose. He thought the Bill as it now stood would occasion just and general dissatisfaction to many denominations in Scotland. In Scotland nearly all the voluntary schools were strictly denominational, belonging to religious bodies, which naturally exercised considerable control over them, which control they would be extremely unwilling to part with. One objection relating to the repair of buildings had been obviated during the progress of the Bill in Committee; but there still remained another—namely, that under the 20th and 53rd clauses the masters might be dismissed by order of the Board. This was one of the main reasons why the religious bodies were reluctant that their schools should be brought into connection with the Board and so converted into national schools, to which the Bill had a strong tendency. If the Bill were passed as it stood, it was highly probable that the voluntary subscriptions by which so many schools were maintained would fall off, and that the managers would consequently feel inclined to place the schools on the rates—a result which the religious bodies were far from desiring. Again, it was probable that if the Privy Council grant were withdrawn many schools in the poorer districts would cease to exist. Having vested the whole character of the education of a district in the hands of the majority, we ought not to deprive the minority of the liberty of availing themselves of those means which the voluntary denominational system had hitherto provided. As his noble Friend was so confident that the proposed system would be accepted in Scotland, he ought to prove his confidence in the system by removing the pains and disabilities of the Bill. He now moved the omission of the word "national" from the clause: and if that were agreed to, he would subsequently move consequential alterations.

THE DUKE OF ARGYLL said he would not revive the discussion which had arisen earlier in the evening on the question of denominationalism; but he could not agree to the omission of this word. He wished, however, to remark that every consideration and tenderness would be shown to the denominational schools under this Bill. The case of the ironmasters who opposed this measure appeared at first to be a most formidable one, but when investigated it would not hold water at all. The great ironmasters in Lanarkshire supported their schools by levying a rate of 2*d.* per week on each of their workmen, and, in addition to this, charged fees for the attendance of the children. Indeed, in the case of some of the great works, the fees levied from the workmen amounted to more than the whole sum expended on the schools, and yet the ironmasters came forward and asked that their property should be exempted from the rate on the ground that they supported the schools. The part taken by a small section of the Established clergy led him to entertain great doubt whether they ought to be *ex officio* members of the local Board, and whether a change in that direction would not be of great service to the spread of education in Scotland. He could not, on the part of the Government, accept the Amendment.

LORD KINNAIRD said, he could confirm what had fallen from the noble Duke as to these workhouse schools, to which the men were bound to contribute, without having any voice in their management. Unless this Amendment were carried the clause would annihiliate the Catholic schools and Episcopal schools, which had been built and supported on the faith of receiving the Privy Council grant. They could not become adopted schools, nor could they receive any grants from the Privy Council. He hoped the noble Duke would persevere with his Amendment.

THE EARL OF AIRLIE suggested that as this was a money clause, which threw an increased charge upon the Estimates voted by the other House, it would be better to omit it. The clause could be re-inserted "elsewhere," and would then again come before their Lordships for discussion.

LORD CAIRNS said, it was a fallacy to speak of the national system of education as provided by the Bill, as if it were something distinct from the denominational system. The system of education provided by this Bill for Scotland would be, in a vast majority of parishes, denominational, because the local committees would insist upon a religious education, and that would be denominational.

EARL DE GREY AND RIPON said, that the effect of the Amendment would be so injurious that he should greatly prefer to omit the clause altogether rather than adopt the Amendment.

THE DUKE OF MARLBOROUGH, in reply, repeated his opinion that the Privy Council ought to be able to make grants to the schools to which his Amendment referred.

On Question, Amendment *agreed to.*

On Question, That the Clause, as amended, stand part of the Bill,

EARL DE GREY AND RIPON moved to leave out the clause. It was highly desirable, after the Amendment which had been introduced, that the Privy Council should be left entirely free in making the same regulations with respect to grants for Scotland as for England.

Moved, "To leave out Clause 68, as amended."—(*The Lord President.*)

THE DUKE OF MARLBOROUGH observed that the only modification of the existing system was proposed by the noble Duke himself. The effect of this clause, as amended, would not be to fetter the Privy Council. He would rather bring the whole system in Scotland into conformity with the English system.

THE DUKE OF ARGYLL said, he was sorry to give their Lordships the trouble of dividing, but he must take the sense of the Committee on the clause.

On Question, That the Clause, as amended, stand part of the Bill?—Their Lordships *divided*:—Contents 59; Not-Contents 28: Majority 31.

CONTENTS.

Marlborough, D. [*Teller.*]
Norfolk, D.
Northumberland, D.
Richmond, D.
Wellington, D.

Abercorn, M. (*D. Abercorn.*)
Bath, M.
Bristol, M.
Exeter, M.

Amherst, E.
Bandon, E.
Brooke and Warwick, E.
Denbigh, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Gainsborough, E.
Graham, E. (*D. Montrose.*)
Haddington, E.
Home, E.
Lauderdale, E.
Leven and Melville, E.
Nelson, E.
Powis, E.
Romney, E.
Rosse, E.
Sommers, E.
Tankerville, E.

Hawarden, V.
Sidmouth, V.
Templetown, V.

Gloucester and Bristol, Bp.

Tuam, &c., Bp.

Abinger, L.
Arundell of Wardour, L.
Blantyre, L.
Cairns, L.
Clifford of Chudleigh, L.
Colchester, L.
Colonsay, L.
Colville of Culross, L. [*Teller.*]
Denman, L.
Dunboyne, L.
Elphinstone, L.
Fitzwalter, L.
Foxford, L. (*E. Limerick.*)
Granard, L. (*E. Granard.*)
Grinstead, L. (*E. Enniskillen.*)
Heytesbury, L.
Kenry, L. (*E. Dunraven and Mount-Earl.*)
Ormathwaite, L.
Petre, L.
Redesdale, L.
Rossie, L. (*L. Kinnaird.*)
Saltoun, L.
Sheffield, L. (*E. Sheffield.*)
Silchester, L. (*E. Longford.*)
Sinclair, L.
Stafford, L.
Strathspey, L. (*E. Seafield.*)
Willoughby de Broke, L.

NOT-CONTENTS.

Hatherley, L. (*L. Chancellor.*)

Saint Albans, D.
Somerset, D.

Camden, M.
Lansdowne, M.
Normanby, M.

Airlie, E.
Camperdown, E.
Clarendon, E.
De Grey, E.
De La Warr, E.
Ducie, E.
Kimberley, E.
Minto, E.
Morley, E.

Belper, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Calthorpe, L.
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Foley, L. [*Teller.*]
Lawrence, L.
Leigh, L.
Panmure, L. (*E. Dalhousie.*)
Penzance, L.
Ponsonby, L. (*E. Bessborough.*)
Skene, L. (*E. Fife.*)
Suffield, L.
Sundridge, L. (*D. Argyll.*)

Clause *ordered* to stand part of the Bill.

Clause 70.

LORD COLONSAY *moved* an Amendment, in line 40, before ("every") insert—

("In every national school, except in special cases to be approved of by the board, a certain portion of time shall be devoted to religious instruction, and such instruction shall not be contrary to but shall be consistent with the doctrines contained in the shorter catechism agreed upon by the assembly of divines at Westminster and approved by the general assembly of the Church of Scotland in the year one thousand six hundred and forty-eight, and")

THE DUKE OF ARGYLL said, this security for the religious teaching of the children would not be worth the paper on which it was written. The only security lay in the character of the school committee. Besides, he objected to incorporate the *Shorter Catechism* in an Act of Parliament.

LORD CAIRNS, and other noble Lords, advised the noble and learned Lord not to press the clause.

Amendment (by leave of the House), *withdrawn.*

Remaining clauses *agreed to.*

House *resumed.*

Report of Amendments to be received on *Thursday*, the *3rd of June* next; and Bill to be *printed* as amended. (No. 96.)

Memorandum showing the financial effect of the proposals in, as to parishes in which a 3*d.* rate has been levied: Ordered to be laid before the House. (No. 97.)

THE DUKE OF RICHMOND wished to know whether the noble Duke, on the occasion of the Report, would give their Lordships some *data* to show that the 3*d.* rate would be sufficient for the purposes of the Act.

THE DUKE OF ARGYLL doubted the accuracy of the noble Duke's figures quoted at a former period of the evening, and felt no doubt whatever that the 3*d.* rate would be sufficient for all the purposes of the Act.

House adjourned at a quarter past
Twelve o'clock A.M., till
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 10*th May,* 1869.

MINUTES.]—Supply—*considered in Committee*—Civil Service, further on account.

Public Bills — *Resolutions in Committee* — Pier and Harbour Orders Confirmation; Diplomatic Services [Salaries and Allowances].

Ordered—First Reading—Courts of Justice (New Site) [113]; Pier and Harbour Orders Confirmation * [114].

Committee—Report—Recorders' Deputies * [107]; Municipal Franchise * [85]; Evidence Amendment * [25].

Considered as amended—Pharmacy Act (1868) Amendment * [37].

Third Reading—Stannaries * [101] and *passed.*

NATAL—THE CHURCH IN THE COLONIES—CASE OF THE REV. MR. GREEN.—QUESTION.

Mr. THOMAS HUGHES said, he wished to ask the Under Secretary of State for the Colonies, Whether, notwithstanding the interdict of the Supreme Court of the Colony of Natal, dated the 9th of January 1868, by which Mr. Green (the then Colonial Chaplain) was prohibited from officiating in any church or building in the Colony belonging to the Church of England, the same Mr. Green is still recognized as Colonial Chaplain by Her Majesty's Government, and in receipt of the salary attached to that office; and, if so, why?

Mr. MONSELL said, in reply, that the attention of the Colonial Department had not been called to the position of Mr. Green since the present Government came into Office. It appeared that Mr. Green had been for nineteen years colonial chaplain in Natal, that his salary had been paid out of the colonial revenue, and that there never had been any desire expressed by the colonial authorities, so far as he (Mr. Monsell) knew, that Mr. Green should be removed from his position. On account, however, of his having promulgated the sentence of excommunication pronounced by the Bishop of Cape Town against Dr. Colenso, the Bishop of Natal, Dr. Colenso appeared to have deprived and inhibited Mr. Green. The Supreme Court, on the matter being brought under their consideration, ratified the decision, and pronounced an interdict prohibiting him from officiating in any church or building set apart for the use of the Church of England, and for which the Bishop of Natal was trustee. From that decision Mr. Green did not appeal. Looking at the question, it was a matter of some difficulty to be sure of the relative legal positions of Dr. Gray, Dr. Colenso, and Mr. Green. The decision of the Judicial Committee of Privy Council, by which those rights had hitherto been supposed to be ascertained, rested on the assumption that, in 1857, Natal was not a Crown Colony, whilst the judgment of the Supreme Court, on which it was now suggested that they should act, was based, by the majority of the Judges, on the opposite assumption that at that period Natal was a Crown Colony. The Judicial Committee having thus been declared mistaken on a most important fact, in this conflict of opinion and authority, his noble Friend Lord Granville had thought it right, before taking any step, to submit the matter to the Law Officers of the Crown for their opinion

PILOTAGE DUES ON FOREIGN SHIPPING.
QUESTION.

Mr. CANDLISH said, he wished to ask the President of the Board of Trade, Whether it is true, as has been stated by the Nantes and Havre Chambers of Commerce in a recent Memorial to the French Government, that in the trade between London and the French ports the Customs authorities in London demand receipts for pilotage from French vessels previous to granting clearances, which demand is not made in the case of British vessels engaged in the same trade; and, if so, on what ground such demand is made, and on what grounds the vessels of the two Countries are subjected to different treatment?

Mr. BRIGHT, in reply, said, it was quite true that, under the Merchant Shipping Act, foreign ships were required to pay pilotage dues in the way specified, and that British ships were not required to pay in the same manner. Both, however, were subjected to the same rates of pilotage, and under the same obligations with respect to the employment of pilots. There was some difficulty about knowing what was the reason of the difference made between them; but it was assumed to be the case that the owners of foreign shipping were often not here, and therefore were not so easily accessible in case the pilotage were not paid. Another reason given was, that it was a better plan for the owners of foreign shipping, as it secured them from the chance of imposition. However, he suspected that neither of these reasons was of much weight, and he believed it was intended that the point should be considered in the Amendments of the Merchant Shipping Act, and that in all probability the distinction would be removed.

ARMY—PATRIOTIC FUND COMMISSION.

QUESTION.

MR. LOCKE KING said, he would beg to ask the Secretary of State for War, Whether there can be any objection to lay upon the Table Copy of the last Report of the Executive Committee of the Patriotic Fund Commission; whether that Report contains a very painful account of the present state of management of that institution; and, whether he is prepared to state the defalcations which have occurred, and the position of the parties who are answerable for them?

MR. CARDWELL said, in reply, that the Royal Commission on the Patriotic Fund reported to Her Majesty through the Secretary of State for War, and, as soon as the present investigation was concluded, no doubt the Commission would make a Report, which, if the hon. Member would then move for, he should be perfectly ready to lay upon the table. He understood that the Executive Committee had made a Report to the Commission, which the Commission had referred back to the Executive Committee for further information upon certain points. With regard to the defalcation which it was known had occurred, it had been ascertained to amount to between £200 and £250, and instructions had been given that the clerk, the person suspected, should be prosecuted.

THE EDMUNDS SCANDAL.—QUESTION.

MR. BENTINCK said, he wished to ask the Secretary to the Treasury, Whether Copy of a Paper entitled "The History of the Edmunds Scandal, by Leonard Edmunds," is now on record in the Treasury, and, if so, whether he will lay the same upon the Table of the House?

MR. AYRTON in reply, said, it was true that Mr. Edmunds had written a letter to the Lords of the Treasury to say that he had the honour to enclose a copy of a Paper entitled "The History of the Edmunds Scandal," and to request that they would cause the same to be made a record of the Treasury. The Treasury was not exactly the place for recording everything that any person chose to send there, and therefore, if Mr. Edmunds was anxious to have the Paper presented to Parliament he thought he had better choose some other channel than that office.

COLONIAL RETURNS.—QUESTION.

COLONEL SYKES said, he wished to ask the Under Secretary of State for the Colonies, When the Colonial Returns in continuation of that of 1859, ordered by the House on 11th May 1868, will be laid upon the Table?

MR. MONSELL said, in reply, that the Colonial Returns in continuation of those of 1859 were Returns to be made by the Treasury, and he had been constantly pressing for them, he trusted rather than hoped, that they would be laid on the table shortly.

IRELAND—PROTECTION OF LIFE.

QUESTION.

LORD JOHN MANNERS said, he wished to ask the Chief Secretary for Ireland, Whether it is the intention of the Government to introduce any measures for the better protection of life in certain districts in Ireland? Every day accounts of fresh outrages continue to be received.

MR. CHICHESTER FORTESCUE: Sir, I have to say there are no possible efforts or exertions which the Government and the police are not making for the purpose of detecting the perpetrators of the crimes which have recently disgraced certain districts in Ireland; and they have by no means abandoned the hope of succeeding in the detection of some of the criminals. But I need not tell the noble Lord the enormous difficulties that have always been found in devising legislative measures that would ensure the prevention of agrarian crimes in Ireland; and especially in view of that which lies at the root of the whole matter—namely, the difficulty of procuring evidence which would lead to convictions. However, the Government are most anxiously considering the best means of rendering the Lord Lieutenant's powers in this matter more speedy and effectual.

SCOTLAND—INCOME TAX.—QUESTION.

MR. MILLER said, he would beg to ask Mr. Chancellor of the Exchequer, If he is now satisfied that he received the Memorial from Scottish Bankers and others in Edinburgh, referred to in the Question put to him on Friday by the hon. Member for Portsmouth (Sir James Elphinstone), and if so, if he will favourably consider the prayer of the Memorial?

THE CHANCELLOR OF THE EXCHEQUER said, in reply, that he had received the Memorial in question. He had inquired about it previously, but found it was not in the office, having been sent to the Inland Revenue to be reported on. He was sorry that there had been any mistake in the matter. As to the substance of the Memorial, he admitted that there was a grievance or a difficulty owing to the different days on which the income tax was collected in Scotland; but he believed that the difficulty arose only on occasions when the income tax was altered, and he thought that it would be a greater mischief to adopt any change in the days now, as it would cause much inconvenience to persons in making their calculations. He believed there would be less inconvenience from leaving things as they were than from introducing fresh anomalies.

ORDERS OF THE DAY.

Ordered, That the Orders of the Day be postponed until after the Notices of Motions relative to Pauperism and Vagrancy in England, and the Courts of Justice (New Site).—(*Mr. Gladstone.*)

PAUPERISM AND VAGRANCY (ENGLAND).

MOTION FOR A SELECT COMMITTEE.

MR. CORRANCE: Let me first acknowledge the kindness of the right hon. Member who has afforded me the present opportunity of bringing the matter before the House; nevertheless, in rising to call the attention of the House to this important subject, I must feel conscious of a task beyond my strength, and no less so, that it might have

been better undertaken by many hon. Members of this House. My excuse must be that I have waited three years in hopes that this might be the case, and it is under these circumstances that the bounds of prudence have been passed. It has semed to me a strange thing, I confess, that a matter, exciting throughout the country so great and deep an interest, so widely debated, so much discussed, should form so small a part of the consideration of this House. It is true, perhaps, that here and there a detail is altered, or through the increasing discontent of some local body it comes before us in a fragmentary state; but discussions raised upon such issues are never satisfactory, and have a strong tendency to assume a most objectionable shape, a mere question of self-interest or of class, blindly oblivious of the general interests at stake. It will be my endeavour to keep clear of this; to deal honestly and fairly with the question itself, and if, from an admitted incompetency, I fail to solve the grave difficulties of the case, I may claim, upon such grounds, the indulgence of this House. And now let me leave no doubt upon one point as regards this question, to which I wish to call the attention of the House: I do not believe it can be dealt with in any manner less than complete, and that any reform to be beneficial must be thorough if it is to meet the case. Upon what does the necessity rest? Now, I do not propose to enter at length into statistics, local or general, to prove this part of my case; they are well known, accessible to all, and sufficiently admitted to allow me to assume it as a fact, that the growth and progress of this social malady is both formidable and on the increase, and upon such grounds to argue the case. A very few figures will, therefore, suffice. Starting from 1834 we find that the expenditure to poor's rate was £6,317,255, while the population stood at 14,322,000. To meet this enormous evil, the Poor Law was passed, and in the next decennial period—namely, up to 1844, we find that, while the number relieved amounted to 800,000, the expenditure had fallen to £4,976,093, while the population stood at 16,410,000. This decrease may then fairly be attributed to the working of the new Act. By the figures for the next decennial period it would seem that a stationary point had been reached, for, in 1854, the figures stood thus—paupers, 884,617; expenditure, £5,232,853; population, 18,617,000; the price of wheat averaging 61*s.* for the year. But at the end of the next decennial period matters are far worse, for in 1864 the number of paupers were 1,014,078; the expenditure, £6,423,383; the population, 20,881,000; wheat being at 39*s.* 8*d.* only. Now this is a most significant fact, and what follows is by no means re-assuring, for in the next succeeding years—namely, 1865, 1866, 1867 and 1868, the case is no better—until reaching 1867 and 1868, we attain the maximum point of 916,152 average in year 1867, and £6,439,517 expenditure; and 931,546 average in year 1868, and £6,959,840 expenditure; the population standing at 21,429,508, or nearly £500,000 more than at the worst of our previous periods during the old Act. Apparently, then, between 1861 and 1867, while the population increased only 7 per cent, the number of in-door paupers increased 9 per cent; while, in the same six years, not regarding the initial year, the poor rate levied increased by £2,382,000, or 30 per cent; and the relief expenditure taken alone, rose in 1867 £1,181,000 over that item in 1861, or by 20 per cent. Now, it may be urged that this is, after all, by no means conclusive as against the action of the Poor Law, and that we ought to rest satisfied so long as the ratio to population does not increase. I cannot agree to this, nor will such an opinion hold good upon a closer examination of this case. Look at the other circumstances of this case. First, take the price of wheat. According to calculations I have made, the average for the decennial periods, since 1844, run thus—In 1844, average for last ten years, 56*s.*; in 1854, average for last ten years, 51*s.* 7¼*d.*; in 1864, average for last ten years, 52*s.* 4½*d.*; or a difference of 3*s.* to 4*s.* a quarter, the effect of which upon both rates and pauperism is great. Once more, take the statistics of emigration extending over the same period, and note its gradual increase. Taking the quinquennial periods since 1840 it stands thus—

1840 to 45..	473,640..	Average per year	94,728
1845 to 50..	1,024,146..	,,	204,829
1850 to 55..	1,643,945..	,,	328,689
1855 to 60..	895,640..	,,	169,128
1860 to 65..	773,931..	,,	154,786
1866 ..	209,801..	,,	209,801
1867 ..	204,882..	,,	204,882
1868 ..	195,953..	,,	195,953

The difference between the first five years after 1840 and the last three (1866-7-8) being more than double in amount. Surely this fact is worth something against the account. The increase of friendly societies is also an auxiliary which we must not neglect, and upon comparison with the former period they stand thus—In 1844 their members were 2,500,000; 1864, 3,500,000: capital, 1844, £10,000,000; 1864, £20,000,000. These are computed, upon no mean authority, to save £2,000,000 rates. And if, to such facts, we add the progressive increase of national wealth, surely this steadily maintained ratio of misery can scarcely be held to convey satisfactory assurance of a healthy social state, nor can we dispense with the obvious duty of an examination of the circumstances under which this has taken place. And now, assuming these to be facts, ought we to feel any possible satisfaction at the rate with which pauperism has decreased? And ought not our attention to be next directed to the laws? and to the alteration of the law which has taken place? First, as to the laws themselves, let me honestly confess that, while they appear to me to have been carefully devised to meet circumstances of an exceptional class, and while they appear to me to have been applied with judgment and admirable tact to meet an almost desperate case—that while nothing appears to me more admirable than the principle upon which the application of those laws took place under the given conditions—it is impossible not to recognize the fact that the greater part of the desired effect had been actually produced within the first ten years after they came into operation, and that notwithstanding the successive acts of legislation since introduced, the subsequent operation of the Act has proved by no means capable of meeting the requirements which exist. Now, in connection with this, there is one really remarkable fact, which I recommend to the attention of hon. Members of the House. For the first ten years these Poor Laws were not only grossly unpopular, but they were exposed to all the opposition which party feeling could bring to bear against them. At that time—namely, 1844, this feeling would seem to have died out, and, just at the very period when it is probable we had derived the ultimate amount of good which the system was capable of yielding—just at that time, I say, instead of seeking out the new line of natural development, the old opponents of the measure settled down into contented inertia and unprogressive belief. First, let me call attention to the original Act, and the circumstances it was framed to meet, they were almost desperate, no doubt. In some parishes the system of rates, in fact, constituted a system of communisees of a distinct class, and labour, relief, and wages came out of a common fund—the rate. The whole character of the people was depraved, no doubt, and the essential function of the Poor Law was to create a more wholesome public feeling, as well as conditions of a corresponding class. The one enemy to the honest labourer was relief; I put hon. Gentlemen in mind of this, lest, under other circumstances, they form erroneous ideas as to this. The principles were sound principles, and the laws were sound laws to meet what they met. The question I shall raise is not this — it is whether, when the conditions were much changed, and the remedy had administered to the disease, it was politic to continue the dose? Now I do not think it will be disputed that, if the disease was very malignant, the treatment was drastic enough. Dependence upon rates was the evil, and it was by no means over rose beds that the patient was led back; it was by the sternest of masters, necessity, that he was to be taught. Utter destitution was to be the qualification, and the House the test. In 1809, under Article III., we find it laid down—

> "That the fundamental principle with respect to the legal relief of the poor is that the condition of the pauper ought to be, on the whole, less eligible than that of the independent labourer. But an inmate of a well-appointed union-house lives in rooms better ventilated, more spacious, and better warmed. His meals are better and more regularly served. He is more warmly clad, and he is better attended in sickness than if he was in his own cottage. Moreover all these benefits are supplied to him with perfect regularity and without any forethought or anxiety on his part.
>
> "Thus far relief in a public establishment violates the principle above adverted to, and places the pauper in a more eligible position than the independent labourer. The only expedient, therefore, for accomplishing the end in view which humanity permits is to subject the pauper inmate of a public establishment to such a system of labour-discipline and restraint as shall be sufficient to outweigh in his estimation the advantages which he derives from the bodily comfort he enjoys. This is the only mode, consistent with humanity, of rendering the condition of the pauper less eligible than that of the independent labourer, and upon this principle the English union-houses have been organized."

Now it is impossible to read this without a feeling almost of terror at what might be the effects of its application upon a wholly dependent class. No doubt the work was written and the system devised by humane and enlightened men, but who could foresee the effects of such words upon men of a rougher mould and of a less discriminating class? It has been accused of producing acts of inhumanity, and in isolated instances this no doubt has been the case, but as a general rule great discretion has tempered the application of the rate. Nevertheless, when we remember that under these sweeping conditions were and are included every inmate of a union-house, I think that we must begin to doubt whether such a system can be applicable to all times and all circumstances alike. Now, when I say this I would not be misunderstood. No one who has deeply studied this question can doubt the difficulties with which it is beset. No one who has read the able Reports of the Commissions, from 1834 to 1844, can doubt the soundness of the principles upon which they framed their Reports, least of all myself. And no one more readily recognizes the depth of Bentham's summary of this. He writes thus—

> "But compassion is one thing, and relief efficacious and unmischievous is another. The one may be bestowed in any quantity; the other should never be attempted to be bestowed, especially at the expense of the community, until after the most strict and comprehensive inquiry whether the undertaking lies within the sphere of practicability, and whether the removal of the evil be not inseparably connected with more extensive, and not less permanent, evil."

Let us give full scope to this, and recognize all the ultimate consequences which may proceed from ill-directed attempts at relief. Acknowledge the necessity for inquiry into the conditions which exist, but do not, I say, rest satisfied upon less than conclusive evidence, that your present system contains a panacea for all evils which exist. Recognize, at least, the fact that it is simply repressive, and its operation purely mechanical; that it admits of few distinctions—that all are paupers who come under its scope—and that the test applied alike to crime, to sullen idleness, and to misfortune, or unsuccess is the test of utter destitution and the union-house. Now, the only justification for such a system must be complete and final success. If this is not attained, then the failure is gross, and it becomes actually mischievous and intolerable from that point. In a recent treatise upon friendly societies (Charles Hardwick) this is well put—

> "Extreme privation," he says, "has ever a powerful effect in the deterioration of the moral sentiment. Hope speedily forsakes the mind, and despair lays its benumbing hand upon the once thrifty and industrious man. He gradually submits to be pauperized; he has forfeited his most cherished treasure—the sense of self dependence—and habitual pauperism is but too often the stepping stone to crime."

Surely there is force in this, and if we recognize, as I think we must, the insufficiency of our system, there should, at least, be a searching investigation upon this point. But it will doubtless be said that these laws are not inelastic, and they have already suffered considerable changes in important respects, and that, as now administered, they are essentially different from that contemplated at first. Well, this is the case, but if it proves anything—it proves that the experience of actual practice is against the theory upon which these laws were built. It is true that since 1844 about forty such amendments have been passed, and to them I propose to apply the test of success. The laws relating to irremoveability and chargeability are by far the most important in their effects. But there have been some others calculated to produce remarkable results, which from being permissive have fallen dead. Of these I will presently say something; but let us take irremoveability first. Concerning this we have several successive Acts—namely, 9 & 10 *Vict.*, 1846, by which the term of five years was set. Then comes 11 & 12 *Vict.* c. 111, by which it was amended. After this, 24 & 25 *Vict.*, 1861, c. 55, shortening the term to three years; and subsequently 28 & 29 *Vict.*, 1865, c. 8, which once more reduced the term to one year. Concomitantly with this was widened the area of relief under successive Acts. By 10 & 11 *Vict.*, c. 110; 11 & 12 *Vict.*, caps. 110, 111; 12 & 13 *Vict.* c. 103, s. 16; and 22 *Vict.* c. 29. By the 24 & 25 *Vict.*, the period of three years was substituted for that of five, specified in 9 & 10 *Vict.*; and residence of any person in any part of the union has the same effect in reference to the provisions of the said section as residence in the parish. By 28 & 29 *Vict.*, s. 17, one year was substituted for three. What has been the effect of these successive enactments? Now, there are some reasons why we should not pass by these important Acts without challenge, and as I thought myself, perhaps, the strongest might have been found in a debate which recently took place in this House. Reviving some arguments, the speaker seemed to hold that some evils of a local nature had been produced or increased under the operation of statutes of a different class, and by the direct pressure of landlords upon labourers, by which they were forced to quit their houses, the burdens of others had been increased. Now, upon a perhaps more general, and I trust impartial inquiry, I cannot arrive at that conclusion myself. I am far from denying that, by absence of cottages, and under pressure arising from the fear of rates, such a congestion may, in the immediate vicinity of a large town, have taken place; but let the hon. Gentleman remember this—that such circumstances cannot operate beyond the neighbourhood of the town to any great extent, and as a disturbing element its force is not great. Let him remember that we live under the influence of far greater natural causes, the action of which, as it seems to me, he has neglected to trace, and that the very action of that measure which he thinks remedial might absolutely and actually accelerate the movement he wishes to check. That it has been found so in England I have no doubt, and that the relaxation of the restrictive laws has given an impetus to the movement they were meant to check I can give the House some evidence of this under some Returns lately made to this House. In the metropolis the total number of male paupers was as follows:—In 1858, 71,515; 1859, 79,716; 1860, 88,118; 1861, 96,884; 1862, 113,389; 1863, 103,628; 1864, 99,090; 1865, 101,666; 1866, 108,610; 1867, 132,499; 1868, 163,179. In other large towns we find similar results—

	Acres.	Population.	1861	1868
Richmond . .	4,339	18,802	178	284
Gravesend . .	1,541	18,782	221	232
Brighton . .	2,340	77,693	705	982
Southampton .	2,630	43,414	344	457
Reading . . .	4,699	25,876	229	306
Ipswich . . .	8,395	37,881	300	394
Exeter . . .	1,800	33,738	225	293
Plymouth . .	1,635	62,599	482	605
Bristol . . .	1,840	66,027	984	1,254
Worcester . .	6,779	30,969	184	310
Birmingham .	2,660	212,621	1,588	2,254
Yarmouth . .	1,510	30,338	305	437
Norwich . .	4,325	74,891	755	921
Coventry . .	5,439	4,164	326	371
Nottingham .	1,750	74,693	989	866
Derby . . .	2,970	51,049	205	337
Chester . . .	2,758	29,408	264	394
Salford . . .	4,830	105,335	618	926
Manchester. .	1,480	185,410	2,452	3,285
Bradford . .	6,590	106,218	333	546
Kingston . .	1,827	56,888	338	466
Newcastle . .	7,102	110,968	655	901
			12,680	16,821

Now what are these natural causes? They are not far to seek. In the first place, during the last ten or fifteen years agricultural employment has diminished, under changed cultivation, under the employment of other power, and the burdens of parish rates. Of this it is also easy to give proof. Since 1831 it has stood thus—In 1831 there were employed in agriculture, 1,076,000; 1841, 1,214,000; 1851, 1,623,000; 1861, 1,547,000: between the last-mentioned periods there was a decrease in thirty out of forty-two counties, and in six only was there any considerable increase; while in the remaining six the numbers were stationary. Once more, there is the difficulty of procuring casual work, which is especially felt among the younger labourers; and also that agricultural labour is not fitting for the weak. Persons of bad character also seek the refuge of the towns, and help to swell the list. Then there are the inducements of charities and the like, and the result is, I think, well put in some words I have lately read, namely—

> "The cause is not far to seek. It lies in the difference between town and country life. In a country parish imposition is next to impossible. The lazy labourer—the bad bargain—is soon known. His neighbours are the last persons to waste their money in misapplied charities; but in London the tracts occupied by the metropolitan pauper class are so many vast jungles. The country offering but a doubtful claim of legal relief only, and the metropolis a certainty of charitable doles, to London he comes, and in London he stays."

Now, against this what was the former check—namely, the power of removal, and settlement confined to one place. I do not say so as an advocate, but it was so, nevertheless. And when I hear hon. Gentlemen who have, perhaps, little studied this question in a general sense, advocates of changes, upon the ground of some special interest or class, I feel inclined to laugh, if, on the other hand, it was not so sad that the poor should be made the sport of conflicting elements such as this. Such, however, is the history of these Poor Laws throughout, and, if I quote the words of a writer in the 18th century, they would seem applicable to every epoch since. Roger North says—

> "The rates in Colchester amounted to 50 per cent. That one thought alone occupied the ratepayer of all classes, and all his ingenuity was employed to evade or utilize his share of the rate. Whatever public interest existed was absorbed in the struggle between houses and land, and while they inflicted upon each other the heaviest penalties, these belligerents with equal selfishness and folly sacrificed the poor."

And such, I say, if we only take partial views of this question, will ever be the case. But it has been argued from another side I know, and volumes of philanthropy have been expended in its behalf. I think that these have been equally futile. In the first place, such relaxations have been claimed as a poor man's right, and it has been stated as a hardship that any conditions were annexed for relief. The view has been adopted by writers of eminence, such as George Goode, and is worthy of consideration on this account. Why, the very foundation of such a claim is the conditional nature of the case, and these conditions we have a right to exact. What possible right can one man have to another's goods, or to eleemosynary support? Nor is such a right conferred by law under any statute or Act. Quite the reverse. The Act of Elizabeth prescribes the condition of the case in a manner the most precise, and that condition was settlement and work. The elementary principle was this. Nor can I believe that if society ever relinquished such a safeguard that it would tend to the poor man's good, for it would become an inducement to become demoralized and base. He must feel the degradation of relief. On the other hand, what is the fact? That the helpless mass gravitates to the town, and within that town what takes place? The union houses are made almshouses; the able-bodied become vagrants; and the children Arabs in the streets. But it may be objected that these are, no doubt, evils incidental to the existing state of things, and it by no means follows that a remedy can be devised which will not perhaps aggravate the disease. If I venture to enter upon this ground, it is not because I am unaware of the danger of the attempt. Every one has his pet remedy, his general panacea. One says emigration, another national workshops, a third subdivision of land, and if we add a humane baby-farming society to the list, the new light for the regeneration of society would seem complete. I shall not venture to differ with such, but merely state my opinion that they might fall short of the requirements of the case. On one point only shall I venture to express an opinion, that I do not think it would be safe to trust to the temporary relief afforded by emigration as regards ourselves, and it is not hopeful as regards those sent out. It can only act as an auxiliary at all events. For an effectual remedy we must look deeper than this, and recognizing the disorder as one of a moral nature, we must lay the axe to the root. The first duty of those who would prescribe must be to know the patients; who are they in this case? They come under the common head of paupers, but they are of a widely distinct and different class. They come under four subdivisions at least, children, aged, sick, able-bodied. Let me very briefly show the present state under the existing law of each of these classes. It seems to me the children merit our attention first, not only for the hopes they may inspire of an honest and honourable future life, not merely because of the whole social structure these form the base, but no less so because we are confronted with a sad and instructive fact that, even in numerical proportion, these are the important class. Out of a total of able-bodied paupers of 477,169 we find no less a number than 391,539 charged as children under sixteen in receipt of relief. Out of this number 56,500 are within the house, and 34,266 are receiving instruction within the union school. Now concerning this large and important section among those who receive out-door relief, what do we know? That is the first question I must ask? I can obtain no information, save that they are in receipt of relief, paupers in fact. What an admission is this, that we relieve 323,475 children per annum without knowledge of their social state; whether they are at work, or play, or the commission of crime we know not. Are they apprenticed, to what industrial occupation do they belong—ignorance is our lot. The existence of such a fact alone would send any system into unutterable contempt. How can you deal with pauperism upon such a footing as this? There is no information upon this point, but we can obtain a glimpse or two which may suffice. From the *Leeds Mercury*, March 2, 1869, we find that between 10 o'clock and 11·30 (school hours), there were counted in the streets 5,507 of these deserted ones; of these 2,561 were English and 2,946 Irish; of the former 1,274 and of the latter 2,329 had no shoes; many of these were found in the streets after 11 at night. A walk through Westminster to Vincent Square will furnish pretty much the same result within the very shadow of this House. In the country one or two facts are also significant as regards this class. I allude to the utter failure of 18 & 19 *Vict.*, called Denison's Act; to what conclusion would this conduct? We know that such children cannot pay school pence. Their education must be a charitable one, it can come from no other source. What provision is made for this? The inference is painful from this, that here is the recruiting ground of pauperism and crime, the source from which the devil's regiment of the line fills up its wasted ranks. But this is only a part, and there are 56,500 more within the walls of the house. In union schools 34,266 are receiving education, which to some may appear a satisfactory fact; before, however, we admit this, it is necessary to ask what sort of an education this is, and with what moral and intellectual results. Against these union schools grave charges have been brought, and well-qualified persons have never favoured them much. In 1839 we find the Poor Law Commissioners speaking thus—

> "An investigation of the circumstances of the children in the various workhouses, and of the means of affording them adequate instruction, soon convinced us that the instruction of pauper children must remain imperfect so long as the children of each union are reared in the union school."

At the same date, we find Mr. C. Tufnell speaking to the same effect, namely—

> "Under the old system of the Poor Law, it is well-known how frequently a family which once became pauperized remained so for ever after. In education within the house, there is considerable danger of moral contamination from residence in the same house with adult paupers, for it is perfectly well known to all who have had any experience that a large proportion of the adult residents are persons of the worst character. That this class, morally infectious as they are, should be kept separate from the children is of primary importance; and I am confident that architectural arrangements can never effectually secure perfect classification."

Now, against this it might be urged that such reasoning was necessarily hypothetical, and that great improvements have been made. Let us see how far this, tested by modern experience, is the case. In 1861, the School Commission —Commission of Sir John Coleridge, Nassau Senior and others — reported thus—

> "That pauperism is hereditary, and that the children born and bred as members of that class furnish the great mass of the pauper and criminal classes; that the best chance of a permanent diminution of pauperism and crime is to be found in the proper education of such children; that the workhouse schools are generally so managed that the children learn from infancy to regard the workhouses as their homes, and associate with grown-up paupers, whose influence destroys their moral character and prevents the growth of independence; that the arrangements of workhouses are unavoidably bad, and make it difficult to keep or retain competent teachers; and lastly, that district and separate schools give an education to the children which effectually tends to emancipate them from pauperism."

Now, against this, the Committee of 1865 no doubt report, but even as hostile witnesses we found them speaking thus of the arrangements within workhouses—namely—

> "That no arrangement existed for the separation of women of infamous character, and removing men tainted with crime, and that proper classification is defective throughout."

Now, I think, without going further into this question, this evidence should suffice. I need not quote the success of these large establishments, such as Norwood, &c., to prove my case, nor will any testimony derived from mere examination meet the case. The intellectual cultivation may be perfect, but the moral training is a consideration which lies far above it, and it is bad. Let me add my conviction that by district schools it can alone be met, aided by the State. Time will permit no more upon this head. It is enough that we have here revealed a source of evil, a fountain of bitter water to dam up, especially binding upon us both for its public interest and the sympathy it should undoubtedly create. Let us turn to aged and sick. Of males they amount to 148,090, and of females 278,390; total, 426,480. Broken by age, misfortune, and sickness, they must be considered as beyond hope, and it is in regard of these that our present system is especially weak. What test can alter the condition of such? The only test of value is the medical test. Are they incapable of work? Of all means of providing for them the house is the worst. Their conditions accord neither with a penal code nor the house. For mere infirmaries these were never built, nor is the function of a public almshouse one suitable to the case. The result must be this. If comforts are increased, you give a premium to an improvident life. If you apply the test, humanity is shocked. How then are you to deal with the class? My answer must be this—that there should scarcely be such a class, and that for these the victims of misfortune, without friends and deserted, the proper application of existing charities would for the most part suffice. Take London as an example of this. Of charities for the relief of diseases—bodily and mental—181, income, about £650,000; for bodily wants—food, dwelling, clothes,—537, at about £2,100,000; while of miscellaneous charity there is a further sum of £114,000, probably equally applicable to this, making a total of nearly £3,000,000 of public charities within the metropolis itself especially devoted to such objects as this. Of local charities I take no account, for it is difficult to classify the uses and intents, but about another £500,000 is so annually spent. Organization and good management alone are required to yield a complete and satisfactory result. But these are considerations apart, and although they may help us out of a present difficulty, it is not upon such aids that we should permanently rest. Our attention should be bestowed upon the means which are at our disposal, to meet or obviate the want. I have said it ought not to exist. What is the cause of it? Improvidence for the most part in youth. This then is the point to which our inquiries should conduct. Now, it is commonly cast as a reproach to the industrial classes that they are an improvident class. It is so, no doubt. That they dissipate their small surplus in drink, and this too we must admit. Is society blameless upon this point? Towards providence what inducements or facilities does she hold out—what has she permitted to the public-house? In these latter years it seems to me that, in the strivings of society for a more perfect state, there has not been one more remarkable than the formation and development of certain societies by the working class, especially when we consider the circumstances of the case — deficient in education, in means, in all but active intelligence, scarcely, or coldly recognized by the higher classes, and neglected by the State, they formed, at first after a rude fashion, those friendly societies which have done so great things since. I say so great things, and I confess the epithet seems too small in this case. At the beginning of this century they had hardly reached the rudimentary state. They were held at the Red Dragon or the Green Goose, and the accounts were audited by mine host, and the larger portion transferred to his own book. Beyond this they have got but little help. Their present position, though still a very imperfect position, is the best demonstration of their success. Their total numbers have reached 24,300. Their members reach 3,000,000, with £20,000,000 of assets. They are computed to save £2,000,000 per annum to the rates. And far beyond all such material results—far indeed beyond all price, they have raised these 3,000,000 Englishmen above the moral standard of want. Nevertheless, one thing must be confessed, there is a point they cannot reach, and the result is only partial and incomplete. In the agricultural districts especially we mark this. In provision for sickness and medical attendance, these societies are, or ought to be, successful so far as the provision against casual sickness goes, and possibly medical relief, but they cannot go beyond this, or rather they will not. For old age the resort is the rate. Why should they save employers this? Few subscribers will be found upon the superannuation list—and in only one of about twelve of the best managed societies in England will it be found to exist. Even in the Odd Fellows' Society it has not been attended with success. The feeling, as well as habit, is against it, unless some superior inducement can be held out, and we may practically hold that the insurance is deducted from wages and added to the rate. Surely the question will arise, is this a desirable state? and, secondly, cannot the rate be better applied? Now I must call attention to certain circumstances respecting this. It does seem to me that so deserving an object as a voluntary effort to attain such an independence deserves the recognition of society, and even substantial help, and of this I feel convinced—that the present is nearly, if not absolutely, the worst application he could make of the rate. Now, what I should propose is this—that discretionary power should be vested in the Guardians to contribute in certain proportions towards such an object as this, perhaps even through the local friendly societies, where such exist, upon sufficiently sound footing, or by means of the Post Office Savings' Bank in any other case. I will not now trouble the House by going into the details of such a plan, but it could, without difficulty, be carried out. I claim no originality for this, for a clause was introduced into a Bill, in 1859, which ran thus—

> "Clause 4. If any parish or parishes shall determine to adopt this Act, and to establish a Friendly Society, then the vestry or vestries thereof shall establish a Friendly Society, &c., and shall direct to be paid to such society out of the poor's rates, such an annual sum of money, not exceeding a sum equal to 25 per cent, of the amount of the annual contributions of the members as the Guardians may determine."

Restrict this to the superannuation fund, and you will have struck the first blow to the entire dependence of the aged upon rates, and given the first assistance to providence to attain an object comparatively remote. The objections taken have always seemed to me slight. But to this class, more especially, belongs the great department for medical relief —a subject which, within my present limit, I can but inadequately discuss. Trusting to be followed by other speakers of greater experience and more technical knowledge upon these points, one or two brief sketches mnst suffice. Now, this much must be admitted, that in our Poor Law system it fills the most important place. It might be called the preventive service of the force. Some idea may be formed of this from the fact that out of the disorders incapacitating the working class and making them subjects for relief, there were not less than 32 per cent produced by the neglect of preventible maladies, and the absence of medical relief, while 72 per cent of the total relief is caused by sickness itself. Nevertheless, it can be boldly said, that there is no part of the whole English Poor Law system which is more systematically treated with neglect; perhaps I ought not to say systematic, for it is unsystematic thoroughout. Medical men are dissatisfied and underpaid, and drugs and medicines are bad. I refer to notorious facts, upon which I leave others to dilate. As reformers, we have two modes, either assistance from rates to voluntary medical clubs, or the dispensary system as carried out in Ireland, which has produced some remarkable results. With the details of the system I need not trouble the House; they are well-known to most who have studied the question. One or two facts will suffice. Instituted in 1852, the expenditure upon rates in that country, which was at that time £937,556, was £513,048 in 1859, and it has never since reached its ancient point; and although perhaps not the sole cause of the diminution referred to, yet it has a right to claim its share in the reduction of rates. I come nearer home also to illustrate this. In St. Margaret's, Westminster, where the dispensary system has been carried out, during the week ending March 1st, 1869, there were nearly 1,000 less relieved than the corresponding week of 1868, while in Kensington, where the medical man found his own drugs, there was a large increase; and the same comparison will extend to Birmingham, Brighton, Oxford, Southampton, Newport, Salop, and others. To them Leeds may serve as a contrast. Why, then, if so successful, has not this dispensary system been further carried out? No less remarkable is the contrast presented by the system of foreign countries in such respects, perhaps, the most so Paris itself, including public hospitals, *maison des secours*, and the like, in which the blending together of public and private charities is complete. While such things are possible elsewhere, why not with us? The next great sub-division of the pauper classes will be found under the head of able-bodied, and with them must be reckoned the vagrant class. Now, if the present Poor Laws were capable of dealing with any part of the question, it should surely be this. For this is exactly the problem it was devised to meet. It was framed against such, and the test, both of utter destitution and the house, was imposed against such. It is a failure nevertheless. First, the number is on the increase, and the last year, July 1, 1868, showed an augmentation of 27,322 of such, or 5 per cent. It is almost unnecessary to say that all relief given to them must be as much curtailed as humanity permits, and of a nature to which the normal condition of the employed labourer must be a favourable contrast. If any relaxation takes place it must be of a different sort. Aids to emigration, registers for labour or employment on public works; all these may be entertained, and if under proper organization, they may do good. The relief proper must be in the house. Our difficulty is this—they will not come for such relief, but become vagrants instead, especially from the town or vagrant class. In this form the house and the test do not, as at present constituted, satisfy the case. Now let me most strongly urge that, in all cases, the vagrant ward should be placed under the direct supervision of the police, and that all relief should be given at the house. It should be daily visited by the inspector, and no one allowed to go without his pass. Every name, destination, and address should be duly kept, and the vagrant, without credentials, should receive no second relief. He must not only come but be kept under the inspection of the police. Lists should be published every week and sent to the superintendent of police. Such a system may seem stern and repressive, but the class is tainted with crime, and justice as well as mercy, requires no less. One thing is certain, our present administration has failed in this case, and even to a dangerous extent. Statistics will show the state of the case. In one week of October last there were 22,553 persons in the casual wards of thirty-nine unions, or an average of 3,222 per night. And since 1858 to 1868, this class has trebled in amount. The following table will show this:—It includes in-door and out-door. In 1858 the total number of this class was 2,416. On January 1, 1859, 2,153; on January 1, 1860, 1,494; on January 1, 1861, 1,941; on January 1, 1862, 2,830; on January 1, 1863, 4,234; on January 1, 1864, 3,158; on January 1, 1865, 3,339; on January 1, 1866, 4,450; on January 1, 1867, 5,017; on January 1, 1868, 6,129; and on July 1, 1868, 7,946 relieved as tramps; while it is computed that these represent but one-sixth of the total of the vagrant class. Can we draw no conclusion from this? Mine must be this—It is the effect of our system that they go into the towns as poor, arrived there they become paupers, and as vagrants come back. Of your system this is the effect, and your repressive measures will fail so long as the circumstances and the class shall exist. All that we can hope for is better regulation in this case. Such, then, are the special means which seem to me to be applicable to paupers under the several heads, but it is time I draw some final conclusions upon these points. The present system must I think be held to be a failure under each of these several heads—the training of children, the provision for age, for sickness, for medical relief, as regards the able-bodied: no less. What are the chief causes for this? I trace it to this, the practical impotence of the Poor Law Board, and the faulty administration of local authority constituted as it is. What is the cause for the first? I think it is this, that the central authority cannot exercise authority over funds to which it does not contribute, and any attempt to do so will meet with resistance. I think, under the circumstances, the one remedy for this is a Government contingent to the rate. Ratepayers would be docile enough in that case. Secondly, the faulty and vicious principle of local administration, extending into departments more properly the function of the State—to medical cases, to education, to emigration. For those things you have no right to come upon the local rate, more especially if levied upon the occupier class. Depend upon it you will have no district schools, no infirmaries, no emigration, no prospective permanent measures of improvement so long as this is the case. Their interests do not extend to the extinction of the pauper class at a period more or less remote, and yet this should be the aim of any law throughout. How long shall we blind ourselves to this? It was apparent to men of intelligence prior to the application of this Act; for, in 1825, we find Sydney Smith writing thus—

> "There are two points which we consider as admitted by all men of sense. First, that the Poor Laws must be not amended, but abolished; and, second, that they must be very gradually abolished. We think it hardly worth while to throw away pen and ink upon anyone who is inclined to dispute the above proposition. We shall think the improvement immense, and a subject of a very general congratulation, if the poor rates are perceptibly diminished, and if the system of pauperism is clearly going down in twenty or thirty years hence. We have stated our opinion that all remedies without gradual abolition are of little importance. With a foundation laid for such gradual abolition, every auxiliary improvement of the Poor Laws, while they do remain, is worth the attention of Parliament, and in suggesting a few alterations as fit to be adopted, we wish it to be understood that we have in view the gradual destruction of the system, as well as the amendment while it continues to operate."

And lastly, it fails through the absolute failure of the principle upon which it is built—the test. The vagrant laughs at it; the aged and the sick are not fit objects for it; and children are beyond its scope. It had a work to do, and it did that work; since that time it is obsolete. In these days our agents must be the actuary, the friendly society, the schoolmaster, and the surgeon. But that a vast work of legislation lies before us, let no one doubt—not less than in 1834, perhaps. Nevertheless, with the work to do and the cause discovered, we cannot be thankful, and we cannot rest; the evil is too active, and the necessity too great. Years ago, in the sight of similar ills, a pungent pen wrote thus—

> "Some persons of a desponding spirit are at great concern about that vast mass of poor persons who are aged, or diseased, or maimed; but I am not in the least pain about them to know how the State can be rid of so great incumbrance; because it is well known that they are every day dying by cold, famine, filth, and vermin, as fast as can be reasonably expected."—*Swift.*

Let us be thankful that the terrible irony of that day is, indeed, inapplicable to this. Nevertheless, let us remember the state of the poor is a thing we dare not neglect, and as long as there is one means untried we lie under the reproach. The question is now before the House. I have been urged by some to ask for a Committee or a Commission upon this question. I cannot undertake so much. It is with the Government of this kingdom that the responsibility of so great an undertaking must rest. As a humble Member of this House I have twice during this Session called the attention of Her Majesty's Government to the pressing importance of this case; I regretted that it had found no mention in the Queen's Speech. So far, then, I have presumed, relying upon the goodness of my case. Sir, it is in no party spirit that I have appealed to both sides of this House, and it is in no spirit of party that it should be discussed. If, for such a cause, it should fail to attract the serious attention of the House, then even in this there would be a matter of regret. But if, in a juster sense of its social importance, it should lead us to join in willing co-operation to obtain some common end, then I think it will not fail to conduct us to reforms, even now too long deferred; and, even during our own lives, to issues over which, not only as Members here but as Christian men, we can mutually rejoice.

Motion made, and Question proposed,

"That a Select Committee be appointed to consider the existing state of Pauperism and Vagrancy in England, and the principles upon which the Poor Laws are at present administered."—(*Mr. Corrance.*)

MR. A. W. PEEL said, he could not but congratulate his hon. Friend (Mr. Corrance) on the ability he had shown in bringing forward that subject. He agreed with him as to its gravity and also that it should not be dealt with as a party question. He rose in no spirit of antagonism to his hon. Friend, but merely to state some facts and figures in elucidation of the subject. He did not know why his hon. Friend had selected 1844 as the period at which he started. No doubt that year was an important epoch in Poor Law legislation. The Act of 1844 contained most important provisions—so much so that it had been called, in the language of that day, the Second Poor Law Amendment Act. But in the years 1846, 1851, and 1853 the total expenditure for the relief of the poor was less than it was in 1844. His hon. Friend would say that remedial measures dated from that period; but those remedial measures were introduced before 1844. The Act of 1795 was a great Act in favour of the poor; and that measure had been followed up by successive steps of beneficent legislation on this subject. He would not compare the statistics of 1834 with those of the present time, because they were not entirely reliable; but he would begin with 1848, the period when the Poor Law Returns were carefully organized, and first he would compare the ten years between 1851 and 1860, the seven years between 1861 and 1867, and the latest year—namely, 1868. The average number of paupers in England and Wales in the ten years from 1851 to 1860 was 892,671. In the seven following years—from 1861 to 1867—the average number was 956,434. For the year 1868 the number of paupers was 992,640. Put in another shape, the figures probably would come more home to hon. Members. For the ten years, 1851-60, the average rate of paupers to the general population of England and Wales was 47 to every 1,000; for the seven years, 1861-7, the average rate was 46 per 1,000; and in the latest year, 1868, though this was an exceptional year of distress, the same proportion of 46 per 1,000 continued. Out-of-doors there was a very general impression that the sum levied for the relief of the poor went entirely to the relief of the poor; but hon. Members knew that there was a great distinction between the sum levied and the sum actually expended for that purpose. Taking the average amount of poor rates levied throughout England and Wales for the same periods of which he had already spoken, he found that for the ten years ending 1860 the average was £7,796,019; for the seven years ending 1867, £9,189,386; and for the latest year, 1868, when a number of other charges were levied, nominally under the same head, £11,054,513. To gain an idea of the amount of relief afforded, it was necessary to look to the amount which had actually been expended. For the ten years ending 1860 the average amount expended for the relief of the poor was £5,476,454; for the seven years ending 1867, £6,353,000; and in the latest year, £7,498,000. Therefore, the amount actually expended in the relief of the poor was, in the ten years ending 1860, at the average annual rate of 5*s.* 9½*d.* per head upon the population; for the seven years ending 1867, 6*s.* 1¾*d.*; and for the year 1868, 6*s.* 11½*d.* To explain why the Returns were taken in every case from 1850, it was necessary to explain that before 1848 the Returns were made quarterly, but to some extent overlapped each other, and hence at the end of the year did not quite accurately represent the circumstances. But in 1848 the half-yearly system was introduced, and had continued ever since. The Returns were made to January and July, and taking the mean between the two half-years the average number of paupers for the year ending Lady-day, 1849, was 1,088,659, while in 1868 they had decreased to 992,640. Thus, in 1849 there were 62 paupers for every 1,000 of the population, and in 1868 there were but 46 for every 1,000, being 16 per 1,000 less in the latter than in the former year. [Mr. Brewer said he wished to know whether vagrants were included in these Returns?] Vagrants were not included in the Return for either year. He had been anxious to ascertain what was the amount of relief afforded to the poor in 1834; and, subject to the observation which he had made that the Returns for that period were in some respects fallacious, he found that the rate per head which was paid for the relief of the poor was 9*s.* 1*d.* If we continued in 1867 to pay the same rate which was paid in 1849, the amount, instead of being £6,960,000, would be £9,700,000, showing a balance of £2,740,000 in favour of 1867. So far, his figures in many respects corresponded with those given by his hon. Friend; but his hon. Friend had spoken in disparaging terms of the Act of 1834, and there they came into direct collision. He believed that whatever good results had been achieved had been accomplished by following out the principles embodied in the Act of 1834. His hon. Friend seemed to imagine that the effect of recent legislation had been to swell the number of paupers in towns; but he gave to some extent an answer to his own indictment when he said that there were many attractive causes independent of legislation—such, for instance, as ill-administered and lavish charities, which drew large numbers of paupers to the towns, where, no test existing which could be applied to them, they ultimately became a burden upon the rates. If the hon. Member wished to attack the Union Chargeability Act, he (Mr. A. W. Peel) by no means stood up as its uncompromising champion, but he was bound to point out that in many respects its working had proved beneficial. That Act came into operation in 1866, and the expenditure for that year was £6,500,000; to Lady-day, 1867, it was £7,000,000; and to the corresponding period in 1868 it was £7,500,000. In the metropolis, no doubt, there had been a great increase of expenditure, the amount being in 1866, £976,000; in 1867, £1,175,000; and in 1868, £1,316,000. But that increase was not owing to the Union Chargeability Act; many other causes had co-operated to increase the expenditure under the head of poor rate. Since the Act had come into operation there had been a commercial distress of unparalleled severity, and that which affected the labouring poor above all, an increase in the price of wheat. Wheat had risen from 43*s.* 6*d.* in 1866 to 53*s.* 7*d.* in 1867, and 67*s.* 6½*d.* in 1868; and hon. Members all knew what a large element bread supplies formed in the maintenance of the workhouse economy. His hon. Friend had wisely declared that one of the great objects of legislation should be to take children out of the atmosphere of the workhouse and to cut off the taint of hereditary pauperism. In that sentiment his right hon. Friend the President of the Poor Law Board would no doubt cordially concur, and would labour as much as any Gentleman who had preceded him in Office towards the attainment of that object. The attempt had not been carried out to any extent sufficient to warrant the giving of any detailed information in the shape of Returns; but in more than one case a trial had been made of placing workhouse children out in schools where they came into competition with others of their own age, and where there was reason to hope that the traditions of their youth would speedily be lost, and that they would eventually become merged in the general body of the population. The hon. Member had also recommended the establishment of district schools, but such schools had hitherto failed in consequence of the opposition of Boards of Guardians. If this opposition could be overcome, it would be highly desirable to encourage the system of district schools, as they afforded better organization, greater discipline, and all the advantages of a great public school. In 1839 such a school was in existence at Norwood, and was attended by upwards of 1,000 children from the parishes of the metropolis. He believed the school had been found to work admirably, though he was not in possession of the facts of its subsequent history. The hon. Member had referred to the fact that sick and aged paupers were, as a rule, confounded with the able-bodied pauper, and no doubt an aged or a sick pauper should be distinguished from the common pauper. The hon. Member had gone on to suggest that assistance should be furnished to the pauper through provident societies; but such a system would be a very dangerous one to adopt. He had received a letter on this subject from a clergyman, who put the proposition very neatly and clearly. He said—

> "I have a conviction that one of the most useful ways of helping the poor would be to allow to every benefit club, to which the subscriptions were not more than 1*s.* 6*d.* per month, to claim one subscription from the union for every ten or twelve members, upon the condition that the members should receive no relief from the parish."

It was impossible, however, that such an understanding could be carried out in practice, because in the event of a member of the society becoming reduced, relief would still have to be administered to him out of the poor rates. [Mr. CORRANCE explained that he had merely referred to medical assistance and superannuation funds.] He objected to a system of granting subsidies to provident societies altogether. In dealing with the able-bodied paupers the hon. Member appeared to have made another quick transition to vagrants, and upon the latter subject especially he wished to say a word or two. He felt bound to dispute the accuracy of his hon. Friend's figures, as it seemed almost incredible that there could have been 22,557 vagrants in the casual wards of thirty-nine unions on a certain night in October last. He held in his hand Returns, as far as he could get them, showing the number of vagrants known to the Poor Law Board, and he would compare these Returns with those furnished by the police. The number of vagrants known to the police in April, 1867, was 32,528. It was impossible, however, to ascertain exactly the classes of persons included by the police under the head of vagrants. The number of vagrants relieved by the Guardians of the Poor on the 1st of January, in the five following years, was in England and Wales, 1865, 3,339; in 1866, 4,469; in 1867, 5,027; in 1868, 6,129; and in 1869, 7,020; and in the metropolis only, in 1865, 589; in 1866, 1,501; in 1867, 1,452; in 1868, 1,673; and in 1869, 1,882. There was, therefore considerable difference between the figures contained in the police Returns and those furnished by the Poor Law Board. The difference between the 32,528 and the 7,008 would be accounted for to a great extent by those tramps who were sleeping under hedges and in lodging-houses in towns. It had been suggested that buildings should be erected to accommodate the paupers of London; but it was impossible to build places to accommodate 100,000 persons in the metropolis without throwing an enormous burden upon the rates. He had understood the hon. Member to express himself unfavourably with regard to the union system, but he trusted that he did not wish to revert to the old exploded parochial system, with its 15,000 areas of parochial management—a system which had been found to degrade the pauper more than any other system that could be devised, and which in the eloquent language of Mr. Senior, confounded poverty with pauperism, and tainted wages by the admixture of relief.

MR. FLOYER said, that the Secretary to the Poor Law Board (Mr. A. W. Peel) appeared to have anticipated that some attack would be made upon the Union Chargeability Act, which passed some Sessions ago, after full discussion in that House; but, whatever might have been the views which hon. Members took when that Act was under discussion, he was not aware that it had been seriously attacked after it was passed. He could not, however, admit that the operation of the Act had been entirely and uniformly advantageous. His hon. Friend the Secretary to the Poor Law Board had, no doubt, to a considerable extent accounted for the increase of pauperism by the commercial crisis of 1866. His hon. Friend went on to say that the price of provisions also accounted in some part for the increase of expenditure on the poor; but he did not suppose his hon. Friend could be a large farmer, or he would have known that when he quoted 67*s.* a quarter as the average price of corn last year he was naming too high a figure. Now, he did not deny that the Union Chargeability Act had been in some respects beneficial; no doubt it had very much diminished the labours of Boards of Guardians. That was a great advantage. He thought hon. Members would agree with him that the good working of the Poor Law depended almost entirely on the persons whom they got to discharge the onerous, laborious, and sometimes painful duties of Poor Law Guardians. But the Act had not been sufficiently long in operation to justify anyone in giving a very positive opinion as to its results. He could have wished, however, that when his hon. Friend (Mr. A. W. Peel) had so strongly deprecated any return to the old parochial system he had expressed an equally strong opinion against any further extension of the area of chargeability—any approximation to what was called a national rate, because he thought that this would be a fatal blow at the independence of the labourer, the interests of the rate-payer, and the welfare of the whole kingdom. His hon. Friend the Member for East Suffolk (Mr. Corrance) had divided his subject into these heads—treatment of children in unions or districts of unions, treatment of the sick and aged, and treatment of the able-bodied and vagrants. Some years ago an Act was passed to enable unions to combine together for the purpose of forming district schools; but not much good had resulted from that Act. There were difficulties in the way of carrying it out, which he thought would also present themselves if attempts were made to carry out the suggestion of his hon. Friend on this head. A large number of the children entered workhouses with their parents when the latter were ill or out of employment; but in these cases the children remained only a short time in the workhouses—a few months, or perhaps a few weeks. It would be of no use to send those children to district schools. It was true that a certain number of children remained in the workhouses a sufficiently long time to enable them to receive the advantages of a good school; but if district schools were formed, the number of children left in the workhouses would be so small that the expenditure necessary to provide good schoolmasters and mistresses would be greater than that number would warrant. In his own district the number of scholars was sixteen or eighteen, and if several of these were sent to the district school the local school would have to be given up altogether. With respect to the aged poor his hon. Friend had made a suggestion for which he tendered him his thanks. The great difficulty with that class was to provide themselves with house accommodation when they got out-door relief. In the country districts the allowance made to these poor people was necessarily limited, but it was such as would provide them with food and clothing of the humblest description if they had no rent to pay. In many cases country gentlemen provided their poor labourers whose working days were passed with rooms in the neighbourhood where they had been accustomed to live; but where this was not done the pressure was so great on those poor people that they were obliged to go into the workhouse. His hon. Friend had suggested that where there were some local charities not at present very well applied those charities might be applied to found almshouses in which those aged poor could live. As for the able-bodied poor the Secretary to the Poor Law Board said that the hon. Member for East Suffolk had passed slightly over that subject; but the hon. Member had said that the workhouse test should be applied, which was indeed saying almost all that could be said. The other question was that of vagrancy, in respect of which a very considerable difficulty still existed. The Secretary to the Poor Law Board had called in question the figures quoted by his hon. Friend the Member for East Suffolk. He thought that the figures with respect to vagrants must necessarily be incomplete, because vagrants came under very different management in different localities. Until a comparatively recent date not much attention was given to statistical returns relating to vagrants, because it was only within the last few years vagrancy had come so prominently under the notice of those engaged in the administration of the Poor Law and of the public generally. He could fully corroborate the statements made by his hon. Friend with regard to the increase of vagrancy. In the county of Dorset it had been thought advisable to take a course which had been adopted in many other counties—namely, to bring vagrants more under the control of the police than they hitherto had been. The Returns showed that the number of vagrants receiving relief in Dorsetshire in 1868 was 6,000 and odd, as against 3,000 and odd in 1867. He was aware that this had been attributed to the effects of the commercial crisis; but as that crisis occurred in 1866, and its effects were felt as largely in 1867 as in 1868, he did not believe that the panic would account for this enormous increase. He was, he confessed, at a loss to assign a cause. They knew, upon the authority of those best acquainted with these matters, that when persons once took to mendicancy they hardly ever became laborious and industrious members of the community, while this class was constantly being recruited by those who, from some cause or another, dropped out of the ranks of those who earned an honest livelihood. Mendicancy was regarded as a profession, and this was a most alarming feature. Vagrancy had been pronounced by the law to be a crime, and even if they looked at it in its modified character it very nearly approached the offence of obtaining money under false pretences, for it was only by false pretences and by false representations that vagrants were able to obtain assistance from the benevolent and charitable. It was also closely connected with crime properly so called. According to a statement which he held in his hand, and which had been put forth by several magistrates of Westmoreland, the chief constable of that county expressed his firm conviction that ninety-nine out of every 100 tramps were professional mendicants, and that a large proportion were convicted thieves, and lived by plunder. The chief constable attributed to them the greater number of the burglaries, highway robberies, and petty larcenies which had been committed in the county for some years, and said that if the present system of allowing professional tramps to wander about the country were put an end to, a great deal of crime would be prevented, and immense good would be conferred upon the general community. In the course which should be adopted to check this growing evil, he regretted to say he could not concur with his hon. Friend (Mr. Corrance). If he had followed his argument rightly, his hon. Friend proposed that relief should be withheld from a man who had been previously relieved. But, in this opinion, he could not agree. The great cause of mendicancy was, no doubt, the large charitable heart of this country. People in giving recognized the fact that many of those whom they relieved were impostors, and utterly unworthy of their charity; but they felt that, if they refused to give, some fellow creature, in consequence of their refusal, might suffer seriously from the privations of hunger and want of shelter. As long as they felt that their refusal might possibly be attended by these results, so long would they open their hand with the same readiness that they now did. The remedy was that every destitute person in the county should find food and shelter forthcoming immediately upon application. That, he believed, to be the solitary condition upon which we might, if not put down, at least, materially check this great evil. Vagrancy was partly the result of old habits and old times, when the first question that was asked was—"Where do you belong?" Instead of that being the first question it should be the last. The first question should be—"Are you in want, and how do you prove it?" If relief were afforded whenever there was destitution there would be no excuse for men to travel about the country and obtain alms on the representation—too frequently utterly without foundation—that they were travelling towards their homes to get relief. He did not understand that the hon. Member's (Mr. Corrance's) Motion went the length of an indictment against Poor Law Act. But, no doubt, the Poor Law Act of 1834 was an Act of severity. As far as he (Mr. Floyer) could understand the intention of the framers of the Act, their object was to restrict, as far as possible, the relief of the poor to relief in the workhouse. That principle, he believed, to be essentially wrong. He had never hitherto heard it denied that the workhouse should be given to the able-bodied; but to drive the sick, aged, and infirm into the workhouse was not only an error in legislation, but was contrary to the first principles of charity. Fortunately, the administration of the Poor Laws fell into good hands. For more than thirty years, as Chairman of a Board of Guardians, he had from time to time been brought into communication with the Poor Law Board, and he was bound to say that on all occasions, whichever party had been in power, he had found the greatest readiness to promote the views of the Guardians, if it could be done justly and safety; and, on the whole, he believed the law had been administered by the Poor Law Board for the good of the country. But, as he had said, it was a great error to drive the aged poor into the workhouse, and it was one of the most important suggestions of his hon. Friend that some provision should be made for the aged poor in respect of that which constituted their greatest difficulty, the means of obtaining house room and lodging. If that suggestion should lead to any result the hon. Member would have achieved something by bringing the subject before the House.

MR. E. DENISON said, he had listened with satisfaction to a large part of the speech of the hon. Member for East Suffolk (Mr. Corrance). He concurred with the hon. Member in thinking that the object to be kept in view was the absolute abolition of the Poor Laws, which were incapable of achieving that which they were intended to do. He also agreed that the time was nearly come when the work should be completed. This was not a subject to be dealt with in a partial and half-hearted way; a very serious reform must be introduced if anything were to be done at all. He further concurred in the opinion that one of the most deplorable features of Poor Law administration under the Act of 1834 had been the marvellous weakness of the Central Board, which had been anything but the despot it had been prophesied it would be, and had at times found itself absolutely paralyzed by the resistance of Guardians, and had been repeatedly foiled in the attempt to carry out common-sense reforms. He further concurred in the absolute necessity of confining relief to the able-bodied within the walls of the workhouse. There seemed to be an obvious distinction between their case and that of the sick and infirm; and certainly the framers of the Act of 1834 made a great mistake in clubbing together the sick, the aged, and infirm, and the able-bodied in one building, and thus confounding in one treatment two classes that deserved to be treated in a different way—those whom every one would admit to be the legitimate objects of the tenderest care of the charitable disposition of the country, and those to whom a bare sustenance should be grudgingly allowed to avert the scandal and disgrace of their suffering absolute starvation. It was obvious there must be some test of the actual condition of those who applied for relief, and it must be a self-acting test; because no human being could possibly tell at sight whether a man was actually in want or was not. The test must be acceptable to those who were in want, and unacceptable to those who were not. There was little fear of persons becoming sick to obtain relief, and they could not make themselves aged and infirm. There was, therefore, no danger of increasing the numbers of these classes in receipt of relief by administering relief outside the walls of the workhouse. The importance of vagrancy was to be estimated, not only by the aggregate number of vagrants and the absolute expense to which they put the country, but by the demoralization it produced, the scandal it involved, and the abuse of charity that prevailed. No doubt the success with which vagrants preyed on the charity-giving portion of the population offered a most dangerous and pernicious inducement to the honest labourer in time of temporary depression to go on tramp, seeing that he might earn more in that way than he could by honest labour at the best of times. As the hon. Member for Dorsetshire (Mr. Floyer) said, there was only one way in which the Poor Law could be made at all efficient, and that was by affording relief everywhere to every destitute person who applied for it. It had been repeatedly acknowledged that that that was the principle of the Poor Law, although the hon. Member for East Suffolk seemed to call it in question. The right hon. Member for Wolverhampton (Mr. Villiers) had laid it down that every person who was really destitute was entitled to receive relief upon application, and that a workhouse being full did not relieve Guardians from responsibility. As this principle of the Poor Law could not be repudiated, the only thing to be done was to see if we could not find out a method of applying that principle which would not render it liable to abuse. This appeared to have been an object long sought for by the Poor Law Board, and in the well-known Minute issued by Mr. Buller in 1848, he described the then state of things in words which might be repeated now—he deplored the remissness of the Guardians in regard to the casual wards, and their neglect to observe the recommendation of the Poor Law Board to apply the labour test, and so compel vagrants to do something in return for the food and lodging they obtained.

However good the intention of the giver of alms, there was no doubt he did unqualified mischief; and he was not justified in relieving his benevolent impulses at the expense of the community. It was within his knowledge that a certain gentleman was in the habit of giving half-a-pound of bread to every tramp that called at his house, and of course as long as this was done begging would flourish. Mr. Cobbett once drew an extraordinary parallel between the alimentary standard of each of the three kingdoms and the degree in which they had respectively enjoyed the blessing of a Poor Law. The people of England, who had enjoyed a Poor Law for two centuries and a half, ate meat with a knife and fork; the Scotch, with an incomplete system, ate porridge with a spoon; and the Irish, with no Poor Law ate potatoes with their fingers. But a Poor Law system, to be perfect should have the confidence of the people to such an extent that they would recognize it as the only proper system of relieving the poor, and make it the medium for their charitable donations. The Marquess of Salisbury, when in that House, in 1861, had observed that the theory of the English Poor Law is that nobody should be allowed to starve in the streets; and in order to obtain that result it must offer to distressed persons the bare necessaries of life, a roof to their head and a meal. No doubt, if the theory were carried out, indiscriminate almsgiving would cease then, for people only give to beggars because they fancy they would starve without their aid. But there was a possibility of creating another evil—the increase of vagrancy. No hon. Member had, as yet, charged the Casual Poor Act with having increased vagrancy; but he feared the charge could be to some extent substantiated. A liberal supply of casual wards offering improved accomodation, would, not improbably, tempt many idlers to a wandering life. Food and shelter being offered everywhere to all destitute persons, the question was how to counteract the inducement thus held out to idleness? The counterpoise was to be found in a strict application of the Vagrant Act in all the casual wards, and this could only be done by investing the Board with greater powers over the Guardians, either to coerce or to entice them to act upon their suggestions. It appeared very desirable that if coercion was not applicable some form of inducement should be offered, and that it should be in the power of the Poor Law Board to hold out certain hopes to local boards, to be realized on condition that they should comply with the recommendations of the central body. The Vagrant Act had been in existence for about a century, and it was nearly inoperative during the whole of that time, because there was no universal provision for the relief of destitute people, and in the absence of such provision the humanity of the public would not suffer the enforcement of such a law, but as soon as relief of the destitute universally was conceded, it was necessary to find a counterpoise in the proper administration of repressive measures. The hon. Member for Dorsetshire seemed to have spoken very leniently of vagrancy when he said it was almost a crime. It seemed to him (Mr. E. Denison) to be a crime of a very bad description, and it was treated so by the Act. No person not guilty of a crime could be treated in the manner prescribed by the Vagrant Act. The difficulty was to ascertain at what particular point the criminal act was consummated, because, at first sight, the casual who addressed himself to the workhouse for relief could not be set down as a criminal vagrant. But they constantly found that when vagrants were in the wards they professed themselves to belong to the class of criminal vagrants, and brought themselves under the provisions of the Act. One of the most important duties of the masters of workhouses ought to be to prosecute tramps for the violation of the Vagrant Act. Wherever, in return for the wants of the wayfarer being provided for, a task of work was rigidly exacted, wherever the magistrates were willing to convict, and the persons so convicted were committed to the House of Correction or the gaol for two or three months, they very speedily got rid of vagrants. They had recently a very good proof of that in the Reports from the counties of Westmoreland and Cumberland. The chief constable at Carlisle stated that, from the practical experience furnished by these two counties, he felt persuaded if the law were strictly and uniformly carried out tramping and vagrancy and the crimes with which they were attended would soon be put a stop to. He attributed these good effects to the operation of the Act, and the evil consequences of which they complained to the general neglect of the Boards of Guardians to exact the task of work, to the disinclination to prosecute refractory vagrants, and also to the failure, from whatever cause, of the Central Board to secure that uniformity of procedure throughout the United Kingdom which seemed to be absolutely necessary to put a stop to the practices complained of. At present the very best administration of the laws in one or two counties had only the effect of diverting the stream of vagrancy elsewhere. But even if the existing law were administered in the best possible manner, there were three *desiderata* without which its operation would be distinctly hampered. In the first place the discretionary powers of detention by the masters of workhouses ought to be enlarged beyond the four hours to which they were now limited. It was also desirable that the charge for the erection and maintenance of casual wards, which in small country unions where vagrants were few would lead to great difficulties, should be laid upon the county rate instead of the Union rate. And thirdly, there should be proper places to which the vagrants after conviction, could be committed to serve out their two or three months at hard labour. Wherever a proper place existed to which vagrants could be sent there it appeared that vagrancy was very much checked. With regard to the enlargement of the power of detention, workhouse masters were almost unanimous as to its necessity for the proper discrimination between the deserving wayfarer and the vagrant, and discrimination was at the root of the due administration of the Poor Law. The only possible way in which the deserving could be sifted out was by putting them under conditions which, while meeting their case, would be unpleasant and distasteful to the undeserving. Providence had fortunately furnished us with a self-acting test in the nature of the criminal vagrant, because there was nothing he so much abhorred as order, regularity, decency, and all that was most acceptable to the moral, intelligent wayfarer. He might quote various high authorities in support of that statement, but he would only refer to one, Mr. Arthur Arnold, who said that there was nothing so abhorrent to the nature of the criminal classes as steady discipline and labour. The establishment of new wards and improvement of the accommodation for vagrants had not tended largely to increase the numbers of those resorting to the workhouses. As to the enlargement of the area of chargeability, that would be very much contested; but he did not think it could be contested very logically considering the principles that were laid down during the debate on the Casual Poor Act in 1863. The area of chargeability should be such as could be regarded on economical grounds as having one common interest. It should form, so to speak, an economic unit. The metropolitan area ought fairly to be compared with the area of a county. The President of the Poor Law Board, in a debate some years ago had used words to the effect that the houseless poor did not belong to east or west, but were the common charge of the entire metropolis, and that any measure which made the metropolis support them was a proper one, and would in no degree interfere with the principle that every district should provide for its own poor. In conclusion, he should be glad to receive from the Poor Law Board some distinct assurance that they were at length about to adopt the principles which for twenty years they had acknowledged to be sound. He had confined his observations to the question of vagrancy, not wishing to enter upon the grave and almost overwhelming question raised by the hon. Member for East Suffolk, though he fully believed that next year, or, at all events, before long, a searching investigation must be made into the whole question, and strenuous measures adopted. At present, however, there were a number of laws in existence, and regulations which had been established; but the laws were inoperative, and the regulations were disregarded. Before any new system was introduced they ought, in his opinion, to see what could be effected in the way of improvement, by putting those laws into operation and by procuring some regard for these regulations.

MR. W. W. BEACH said, an attack had been made upon the Act of 1834, but it must be admitted to have been, to a great extent, successful in accomplishing the purposes for which it was brought forward. At the time it was framed the evils of the Poor Law system had grown confessedly to a very great height. Not only had the charge for the Poor Laws enormously increased, but instead of being applied for the benefit of the infirm, and aged, and reduced in circumstances, that charge was largely carried out in aid of wages. That he felt to be a most objectionable principle: those who employed labourers ought to pay fair wages, and not call upon the general public to assist them out of the rates. The Act of 1834 sprang into existence, he might almost say, by the general sense of the community being enlisted in its favour, and it soon succeeded in checking the evils complained of. Labour received its proper remuneration, and the charge which had grown to so enormous a weight was reduced to its natural and proper proportions. The population of England in 1834 was 14,372,000, and the total amount expended in the relief of the poor—as far the figures could be relied on—appeared to be £6,317,255, or at the rate of 8*s.* 9½*d.* per head of the population. The Poor Law Guardians were called upon to perform duties to which they were altogether untrained; but though they might in some cases have overfavoured the poor, and in others have leant to overhardship, yet, on the whole, everybody must feel that the country was greatly indebted to them for the trouble which they had taken to carry out the system intrusted to them, and that, on the whole, the community had benefited by their labours. The present population numbered 21,320,000, and the total amount expended for the relief of the poor was £6,959,841, being at the rate of 6*s.* 6¼*d.* per head of the population. It appeared, therefore, that although there had since the year 1834 been an increase in the expenditure, there was a somewhat considerable diminution in the burden imposed on each member of the population. At present, however, the amount expended in relief was steadily increasing. It had been said that that was a result arising from exceptional causes, but still it was one which urgently demanded the serious attention of the Legislature. He would proceed to direct the attention of the House to the charge incurred for the maintenance of paupers. In the year 1867, 134,051 in-door paupers were maintained at a cost of £1,428,721, or £10 13*s.* per head; and 791,493 out-door paupers were maintained at a cost of £3,487,754, or £4 8*s.* per head. He did not think that the difference in the charge per head was excessive, especially when the terror with which a man looked upon being an inmate of a workhouse was taken into account. In olden times indoor relief was almost unknown, and but little mercy was shown for the "sturdy beggar," as he was called. Now-a-days, however, the numble of able-bodied paupers was considerable. A good deal of this able-bodied pauperism might occasionally be accounted for by a temporary dearth of work, but as a rule ample work would be found by those who chose to seek for it. On the 1st of January, 1868, the number of able-bodied paupers in the receipt of indoor relief was 28,646, and the number receiving out-door relief was 156,984, making a total number of able-bodied paupers of 185,630. That was a large number of able-bodied persons to be destitute of work and thrown upon the general resources of the community. The poorer classes might be divided into three particular classes—namely, the able-bodied labourer, the pauper, and the criminal. The treatment of the latter class of late had been such as to prevent crime being adopted as a vocation with any hope of success. To a certain extent the pauper was placed in a better position than the criminal. Although his food might not be so generous, his work was less. The case of the labourer was very hard. When worn out by hard and continuous labour his only resource was to go to the workhouse, there to end the remainder of his days. He was glad, however, to say that the aid afforded by friendly societies, which enabled a man by the work of his own right hand to accumulate a provision for old age, was largely on the increase. He, however, did not agree with the hon. Member that any assistance should be given to such societies from public sources. The utmost caution was necessary at the present time to prevent relief being doled out when it was not urgently required. He knew a case in which a man who was in the receipt of 14*s.* a week met with an accident. His employer continued to pay him his wages, and he got 8*s.* a week from his club, but still he applied for parochial relief. He was detected and refused, but still his application showed the necessity for exercising caution. With respect to the question of vagrancy he found, as a general rule, that so many did not apply for relief at the large houses in the country as there used to be. Their applications were generally made to the cottagers, and they, with most philanthropic motives, no doubt, gave indiscriminate relief, small as far as the individual was concerned—large in the aggregate, and sufficient to encourage large numbers of tramps. The principle of increasing the area of chargeability was a right one. It was manifestly unfair that the poorer parishes in the metropolis should be compelled to support their own poor, while the richer parishes, from which the poor were expelled by reason of the class of the dwelling-houses, should escape almost entirely from the burden. It was a system that made poverty support poverty. If possible, an equal rate should be charged, not only throughout the metropolis, but throughout the country. One great difficulty in the way of adopting such a system was, however, that it would be almost impossible to obtain an adequate local supervision. He would be for a national rate if a good local supervision could be obtained. He did not know whether this could be secured; but the more we could extend the area of chargeability, the more we should make the poor rate approach to what it ought to be, a national rate—one levied on the community at large.

Dr. LUSH said, he desired to make a few remarks upon the question of medical relief. Though he could claim no special authority on the subject, he could clain special experience, because, for twenty years, he had served as a Poor Law medical officer. The point was most important, for about 72 per cent of of pauperism in this country was associated with sickness. Before touching upon that matter, however, he might be permitted to remark that he concurred very generally in the observations of the hon Member for Dorsetshire (Mr. Floyer) but differed from the hon. Gentleman on one point—he thought that union chargeability should be further extended. He could have wished that the question of vagrancy had not been introduced in this discussion. He regarded vagrancy as an excrescence on pauperism, and not as pauperism itself. It did not follow that a vagrant was a pauper, while as a rule paupers had no inclination for vagrancy; they were strongly attached to their own localities. As regarded medical relief, his opinion was—and it was only the more confirmed the longer became his experience — that the whole system of its administration was unsatisfactory alike to the medical officers, the guardians, the rate-payers, and the poor themselves. The medical men employed by unions were very insufficiently remunerated—so insufficiently that the poor thought that services which were so badly paid for could not be worth much; the poor came to think they did not receive that care and attention from the medical officers which they required, and they showed a growing disposition to depend on their own sick clubs. So far as medical relief went Ireland was far in advance of England. In the year 1867 the population of Ireland was 4,500,000, while that of England was 21,000,000. The rates for the relief of the poor in Ireland amounted to £795,000, and in England to £6,990,000. The expense of medical relief in Ireland was £132,000, while in England, which was so much larger and richer, the amount expended was only £272,000. In other words, in Ireland £1 in every £5 10*s*. of the total expenditure for the relief of the poor was expended in medical relief, whilst in England the proportion was only £1 in about £20. Every man in the medical profession expressed dissatisfaction with the present state of things as regarded the English system. He thought that in this respect the practice of this country should be as much as possible assimilated to that of Ireland, which worked so well.

Mr. MUNDELLA said, he did not derive much comfort from the statements of the Secretary to the Poor Law Board (Mr. A. W. Peel). He (Mr. Mundella) believed there was no country in Western Europe in which poverty existed in more squalid, and more appalling forms than it did in this country. From the Poor Law statistics it appeared that there were about 1,000,000 paupers in England and Wales. That would be sufficiently sad; but we knew that it did not represent the total of the pauperism of this country. In a pamphlet addressed to his right hon. Friend the Secretary of State for the Home Department, his hon. Friend the Member for Carlisle (Mr. E. Potter) pointed out how nearly allied to the state of pauperism was the condition of about 3,000,000 in addition to the 1,000,000 who were actual paupers. He believed that the remedy must go deeper than any change in the administration of the Poor Law. He concurred with the hon. Member for East Suffolk (Mr. Corrance) that the education of the juvenile paupers was a very important point and would be an efficacious remedy. A Committee which had reported on this subject in his own neighbourhood stated that the worst paupers were those who had been in pauper schools. The boys turned out very badly in many cases, and a large percentage of the girls returned to the workhouse as prostitutes. From his own experience he could bear testimony to the shocking effects of mixing up children of both sexes with the adult paupers. Girls were heard to express the hope that the time would soon come when they might be able to go out and earn fine clothes by the wages of infamy. The only hope of improving the present state of things lay in a careful segregation of the pauper children. As long as they continued the present system so long he believed would they be only contributing to the manufacture of paupers. Self-respect was lost early in life, and it was found almost impossible to restore it. He did not agree that State aid should be afforded to friendly societies. The great object to be aimed at was to make the working man helpful and self-depending, and towards this something might be done by a better management of the ill-directed charities now existing. He knew a village of 4,000 inhabitants, where about £30 was spent in education and £800 doled away in gifts, and the week after the distribution of the doles was always one of drunkenness and debauchery. He earnestly hoped that Government would do something to secure the better employment of these charitable funds, which were sufficient in amount to provide for the education of the whole country. With regard to emigration, he expected little from it, because, according to his own experience, it took away the best and most careful artizans, men who were the backbone and sinew of the country, and did not touch that residuum of pauperism and misery of which we were anxious to get rid. The skilled workmen took our trade secrets with them to America, and became, perhaps, our most dangerous competitors. The best hope of effectual remedy lay in a sound and effective system of national education, in a reduction of national expenditure, and lightening the burdens of the industrious classes. A reduction of £10,000,000 in the expenditure, as set forth by the President of the Board of Trade, would be equivalent—taking the cost of collection saved into account—to a relief of £16,000,000 or £17,000,000, which would swell the wage fund and give increased employment to the labouring classes. In the metropolis it was a melancholy fact that the amount of outdoor relief had increased with the last few years 130 per cent. He could not help being of opinion that the Game Laws had a great deal to do with the increase of pauperism in the country generally. You could not convict 10,000 or 12,000 men every year without reducing their families to pauperism; for what were these wretched people to do when their bread-winner was taken from them and confined in a dungeon? He felt deeply the pernicious consequences of these laws, and those who had seen like himself 2,000 pheasants or more by the side of a covert would be able to estimate the amount of temptation to the poor involved in the extensive system of game preserving carried on in this country. He was impressed with the deep importance of the House turning their attention to these questions, which had the most intimate connection with both the moral and physical welfare of the people, and from inquiries conscientiously prosecuted into them they might expect the noblest results in the amelioration of the lot of the poor, and of many who were upon every account entitled to their commiseration.

Mr. W. H. SMITH said, he trusted that, as a metropolitan Member, he might be permitted to say a few words on this question, which had been described by the hon. Member for Sheffield (Mr. Mundella) as one of the most important of the present day. He (Mr. W. H. Smith) concurred in that description. The Secretary to the Poor Law Board (Mr. A. W. Peel) had read some statistics, which might seem to indicate, that the operation of the law was satisfactory; but his hon. Friend the Member for Suffolk (Mr. Corrance), had been at pains to show that the law had failed.

Even if the operation of the law were deemed satisfactory in the country at large, he was not prepared to admit that it could be deemed satisfactory so far as the metropolis was concerned. If they were to regard the law as one, the object of which was to diminish pauperism, while it was to relieve persons overtaken by suffering and unforeseen calamity, and to meet emergencies which resulted from the contingencies to which those engaged in trade were liable, he was prepared to contend that the amount of pauperism existing in the metropolis was greater in amount than is to be attributed justly to unforeseen causes. He had heard a description given by a noble Duke who held a high position in the Government, and who described the Poor Law as the "expression of the legal right of every man who did not work, or who could not work, or who would not work, and who did not possess property, to food, clothing, and shelter, at the expense of those who did work, could work, would work, and did possess property." That might seem a harsh mode of expression, but he thought it was well to look at questions of that sort in a plain, straightforward point of view. Within the last few years there had not only been an appalling increase in pauperism, but in the relative degree of pauperism in the metropolis. It was, doubtless, their duty to relieve the distressed and suffering, especially when they were reduced to that condition by no fault of their own; but it was also their duty to discourage pauperism in every way, because not only was the charge on the rates rendered heavy, but a large portion of those who had to pay them were very little raised above the condition of those they were called upon to relieve. This had become a very serious matter in London, as well as elsewhere, and it seemed to him that we did the pauper a grievous wrong, for we afforded him facilities for forsaking that self-dependence and that confidence in his own resources which were the birthright of every Englishman. He was prepared to contend that there was nothing in the present day so disgraceful to our civilization as the condition of a large portion of our population, and it was incumbent on the Government to deal most seriously and earnestly with this state of things. He would glance at the amount now spent on pauperism in London itself. Taking 1851 as the period when the new Poor Law had been brought into full operation, and when the Poor Law Board was constituted, he found that the cost of poor relief in London had doubled since that time. In 1851 the whole amount spent for this purpose was £659,000; in 1858, it was £870,000; in 1867, £1,180,000; in 1868, £1,317,000. Between 1851 and 1868 the population had increased from 2,360,000 to an estimated population of 3,100,000; so that while the population had increased only by 30 or 34 per cent, the cost of relief had exactly doubled. That alone was a very grievous matter, but he found that the paupers who were relieved in London in the course of the year 1851 were 13 per cent of the whole population, while in 1868 they had increased to 16 per cent of the whole population. They were constantly receiving statements from the Poor Law Board purporting to be averages, and according to them 5 per cent of the population were chargeable upon the poor rates; but, from careful inquiries he had made, a large proportion of these were only chargeable on the rates for three or four months—in-paupers for four months and out-paupers for eleven or twelve weeks. They had never realized the whole number in England who were of the pauperized class—of those whom the Poor Law had educated and taught to fall back on it for relief when thrown down by ill-success or want of work, so that they were made careless, and took no care to provide something against the rainy day. To justify these statements he would give the House a few figures, which he had obtained by the kindness of the Guardians, in reference to the Strand Union, by no means the poorest in the metropolis. The population of the union in 1861 was 43,000, and it was decreasing. In 1868, 8,305 persons, or 20 per cent of the whole population, received relief, and this was a state of things which, in his opinion, was alarming, and demanded the serious consideration of the House. He maintained that the tendency in London was to an increase of pauperism and to a loss of self-reliance and independence. Advantages were offered in connection with relief that the poor man was unable to resist. The cost of relief in the workhouse had increased very considerably in the last five years, and the cost of food consumed in the house per head had increased from 2*s*. 9*d*. in 1853 to 4*s*. 11*d*. in 1868, and this while they had the authority of Professor Leone Levi for the statement that the farm labourer spent upon his own food only 3*s*. a week. The Returns of the Poor Law Board showed that the total cost of children who were educated in their schools was from £15 to £20 per head per annum, and although he was not prepared to say that was a charge which should be reduced, it was obvious that that expenditure was greater than could be afforded by most of the rate-payers for the education of their own children. This fact had, at all events, the appearance of great injustice to the rate-payers, and might tempt the poor among them to become careless of their children, and eventually to throw them on the parish. A circumstance had come to his knowledge which confirmed this view. He found that in a union district school there were five children of one parent, and the cost of each child was 7*s*. per head, the cost for the five being 35*s*. It was ascertained that the mother was capable of supporting her children, and she was required to take them out; but she declined to do so unless a certain allowance was made, and it was made. Another important matter was the question of medical relief. It was an indisputable fact that in many instances the receipt of medical relief was the first step to pauperism; and in all cases it tended more or less to destroy the spirit of self-respect and independence which had done so much in past times for the country. The question of the administration of the law, too, demanded attention. In the debates in 1847, when the Poor Law Board was newly constituted, nothing was so much insisted on as the necessity for responsibility; but he ventured to say that they had not obtained it. There was vacillation and uncertainty in the administration of the law which arose from the frequent changes of Presidents and Secretaries of the Poor Law Board, from the want of power in reference to Boards of Guardians, and the opportunity that existed of shifting responsibility from one to the other. Moreover, it had become a by-word that the Poor Law Board was strong against a weak Board of Guardians, and weak against a strong one; and this caused uncertainty and want of confidence in the way in which the law was administered. While he entirely recognized the spirit in which recent changes had been made, he could not think that the multiplication of Boards, resulting from the Act of 1867, had tended to improve the administration of the law. They had now the Poor Law Board and Board of Guardians, and in addition they had in the metropolis the Asylum District Board, the Sick Asylum District Board, and the School District Board, each of which possessed separate taxing power and dealt with a separate class of the poor in the same parish, and each of which Boards came into contact with the others. He did not think that this was a desirable system. He thought that there should be greater personal responsibility either with the Guardians or with the Poor Law Board, and that it should be known distinctly what policy was to be pursued. Where a power of increasing or diminishing taxation amounting to £8,000,000 or £9,000,000 a year resided there should surely be responsibility. There was another conclusion at which he had arrived, and it was that the principle upon which relief should be administered ought to be that, as far as possible, it should be given in exchange for work. He knew that in saying this he was touching upon delicate ground, but he was not himself afraid of interference with the labour market as many people were, and he very much preferred the risk of such interference to the certain demoralization which arose from giving relief as a matter of right to the person claiming it, without value given or a sense of gratitude in return.

MR. SAMUDA said, that while agreeing with the hon. Member for East Suffolk (Mr. Corrance), that the tendency of our legislation of late years had not been altogether such as to decrease pauperism, he differed totally from the conclusions which the hon. Gentleman drew from his premises that in all cases the house was the only relief which should be offered to the able-bodied. It would be absolutely impossible under the present state of things that the house could be applied under the exceptional circumstances which from time to time arose, and to which Poor Law relief had been extended to a large extent. To prove that, he would refer to what had occurred in his own district. A sudden collapse of commercial credit and productive industry occurred, and in the course of an incredibly short time no fewer than 9,000 artizans out of a total number of 14,000 in one branch of industry only were thrown out of employment. These were the heads of families, and represented such a number of persons dependent on them that the workhouses in the district, multiplied by twenty, would not have been sufficient to contain them. If, then, from forethought they were to attempt the providing of workhouses for such a state of things the weight and pressure on the ratepayers of the district would be so great that to bear it would be impossible. This distress came on so suddenly that it was totally out of the question to enforce the ordinary rules of the Guardians. It was found necessary, therefore, to give out-door relief in the shape of an allowance of 9*s*. in money and bread to persons with five in family in order to keep body and soul together. But it appeared that two-thirds of the labourers employed in the docks could not earn as much, and the result was that when they could no longer earn their 7*s*. or 8*s*. they applied to the workhouse for relief, and were afterwards very unwilling to go back to the docks. No doubt this was a matter upon which it was very difficult to legislate. He had read, and he believed it to be correct, that in an ordinary state of things one man was able to produce enough of corn from the land for thirty men to live upon. He could not help thinking that, though we looked upon ourselves as the most civilized people in the world, we were hardly in a healthy state when 5 per cent of our population were literally without anything to eat. He agreed with the hon. Member (Mr. Corrance) who had introduced the subject that our legislation of late years had tended to increase pauperism, and he thought he could put his finger upon the exact thing that had produced it. Nothing had tended so much in that direction as the limited liability system. That system had stimulated production to a point at which it could not be permanently preserved; and nothing was a greater source of pauperism and of misery to the working population than these great and sudden transitions in the demand for labour. By means of the limited liability system an enormous quantity of capital was collected without a corresponding amount of experience or knowledge to use it, and the consequence was that at the first turn of the tide, commercial prosperity ceasing, was followed by a collapse, capital was lost, and the labour which had been attracted to the district by means of it, and had been dependent on it, became shipwrecked and deprived of all means of support. Then there was another thing, the absence of which led to an increase of pauperism, and that was a good bankruptcy law, which would distinguish between the man whose misfortunes were the result of unforeseen circumstances and the man whose bankruptcy was due to his own misconduct. For the want of this, speculative and unsound trading was greatly on the increase; for the speculator perceived no difference in the treatment of a bankrupt of one description or the other. There was a third subject which had been alluded to in connection with the question before the House, and that was emigration. It had been said that emigration if encouraged would deprive us of the flower of our rising population. But he could not help thinking that it was the absolute duty of every statesman to open out a road to emigration for such as could not find proper employment in this country. He was entirely opposed to employing the public purse for emigration purposes; but he inclined to the belief that much good might be done by setting aside a large portion of land in the colonies, which at present was wholly unused, and by making advances on suitable securities to industrious members of society to enable them to emigrate. The proposal offered to the House within the last few weeks to make advances under certain conditions to purchase the tithe rent-charge in Ireland did not involve less risk than the proposal that the Government, taking suitable securities, should enable persons to emigrate. Whether the larger estimate of the hon. Member for Westminster (Mr. W. H. Smith) or the more moderate figures of the Secretary to the Poor Law Board were adopted, we had evidently to deal with a vast amount of pauperism, and the true way in which to approach the subject was, not by apologizing for the action of the Board hitherto, but by setting to work to discover some ameliorating process.

MR. PELL said, he hoped to hear from some of the hon. Members representing large towns explanations of the awful state of poor persons existing in them, and of the reasons for the collapse of the Poor Law system in the great cities, which was not equally observable in the country. In the union he attended himself—which he took as a type of others—he found that the amount given to the poor in the shape of direct relief had varied very little during the last fifteen years, though almost every housekeeping necessary had risen in price. The explanation, however, lay in the fact that a great deal had been done in the shape of medical relief; that was to say, indirectly and by the agency of very badly paid officers, England had been saved from a condition of things she would have blushed to see. As the result of inquiries instituted in the county of Northampton, it was ascertained that the amount given for medical extras in one large union had increased over 400 per cent in fifteen years. A man with some disorder about him actually enjoyed an advantage in the country, for he did not go to the Guardians or the relieving officer, but to the medical officer, and got what he really wanted—a little refreshing food. His fear with regard to the Act of 1834 was that, in the present day, we were growing rather lax in practice and sliding back to the old state of things by consenting to give relief in aid. He was led to this conclusion by cases which had fallen under his own observation; and the mischievous state of things ought, in his opinion, to be remedied by a strict administration. He was disposed to agree in the remarks of the hon. Member for the Tower Hamlets (Mr. Samuda) as to the evils which had resulted in large towns from over-speculation. He believed that the deplorable state of things at the East-end was attributable, in a degree, to the hope which persons entertained of bettering their condition by the high wages which obviously could not last for any lengthened period. These were tempted away from the green fields and those moderate wages which philanthropists made it a practice to deprecate; but, having enjoyed enhanced wages for a very short time, the period of prosperity was too often succeeded by a time of distress, approaching nearly to starvation. It was impossible to offer to vast numbers of men the shelter of the workhouse, and it was equally difficult to discriminate in granting out-door relief. What, therefore, followed too often, was the placing men at labour unprofitable and unsuitable—when they asked for bread, a stone was given to them. It was the duty, he thought, if not of the State, certainly of individuals, to assist emigration, whenever this would open to men abroad opportunities of maintaining their families honestly which were denied to them at home. He did not believe with the hon. Member for Sheffield (Mr. Mundella) that in this way we should lose all our best workmen. The most highly educated would have reason sufficient to induce them to remain. But those who had not been strictly apprenticed, but had found their way into the profession through some by-lane, were legitimate candidates for the emigrant ship, and should be assisted to depart. As a tenant-farmer and landowner, he could never bring himself to believe that there was any necessary connection between poverty and the Game Laws. He was strongly opposed to excessive preserving of game; but it was really trifling with the question to say that the distress of men was in any way caused or aggravated by the presence of birds, preserved or not preserved, in the country. He believed that the personal payment of poor rates would have a very beneficial effect, as nothing had tended more than the payment of poor rates by the landlord to the destruction of independence and consequent increase of pauperism. The attention of the small tenants whose rates were formerly paid by their landlords was never called to the increase of pauperism; but now that they had to pay their own rates they took a deep interest in the matter, and, therefore, apart from political reasons, that change in the law had proved very wholesome in its effects. He thought the House was greatly indebted to the hon. Member for East Suffolk (Mr. Corrance) for having brought forward the subject, and he hoped that, in any future consideration of the case, the House would not forget how a large portion of the cost of the maintenance of the poor was confined to one class. If any want of liberality was to be attributed to those who distributed the funds and to levy the rates, it must not be forgotten that the area on which they were levied was very limited in extent, and that it was possible that more liberality might be shown if the area was made wider than it was at present.

Mr. GOSCHEN said, that those who had listened to his hon. Friend the Secretary to the Poor Law Board (Mr. A. W. Peel) would make a great mistake if they thought that the figures he had quoted were intended to induce the House to believe that the Department of the Poor Law Board was not thoroughly alive to the alarming extent of pauperism which existed at this moment, and to the increase in the expenditure upon pauperism, which during the last few years all had had so much occasion to deplore. It was, however, equally important that at a time like the present, when every one was devising remedies for this state of pauperism, the public should not take an exaggerated view of the matter, as that they should not under-rate the amount of the increase in pauperism. It was important that no confusion should be suffered to exist between the increase in the number of paupers and the increase in the cost of their maintenance. While the increase in the expenditure had been most remarkable, the increase in the actual number of paupers relatively to the population had been but slight during the last seven years. Where there had been a startling increase of pauperism—as, for instance, in the metropolis—that was owing to an aggregation of pauperism in some places and a displacement of it in others. The hon. Member for Westminster (Mr. W. H. Smith), who had addressed the House with so much ability and clearness, had reason to say that in the metropolis the increase in pauperism was really appalling, the number of paupers having risen from 100,000 to 145,000 within the last few years. But it was apparent, from the figures which had been laid before the House by his hon. Friend the Secretary of the Poor Law Board, that this increase in the pauperism of the metropolis, and in that of other large towns, had arisen from the pauper class congregating in those towns more than they did formerly—partly, no doubt, in consequence of the course of recent legislation in removing every artificial barrier to the circulation of labour. Of course, this influx of labour to the large towns had imported with it a certain refuse, which entailed an increase in pauperism, but surely the places that had benefited by the labour had not a right to complain of the burden which it entailed, and which had been partly met, and might be met to a greater extent, by distributing the expense over the whole, instead of over portions of them. Union chargeability was a natural sequel to making the poor irremovable. He would not, at that hour, and after the long debate that had arisen upon this subject, trouble the House with many statistics upon the question before them. While, he must admit that the state of pauperism was most unsatisfactory, he must yet contend that it was not alarming, that it was not such as to justify a panic, or to induce the House to deviate from those sound principles of political economy which were sometimes forgotten, when they were asked to legislate upon pauperism. He would take the amount of pauperism which existed in 1849, in six agricultural counties, taken at random, and would compare it with the amount of pauperism which existed in those counties at the present time. The number of paupers in the counties of Buckingham, Somerset, Suffolk, Dorset, Norfolk, and Lincoln, in the year 1849, was 137,000; whereas, in 1868, it was only 124,000, showing a diminution of 13,000. The pauperism of those counties in 1848 formed 15 per cent of the entire pauperism of the country; whereas, in 1868, it only formed 12 per cent. On the other hand, taking the three metropolitan counties of Kent, Middlesex, and Surrey, he found that the number of paupers they contained in 1849 was 96,000, whereas, in 1868, they contained 171,000, showing an increase of 75,000 in these three counties, and the pauperism of these three counties which formed 10 per cent of the total pauperism of the country in 1849, formed 17 per cent of it at the present time. In round numbers, therefore, it might be taken that the metropolis accounted for the whole increase in the pauperism of the country during the last twenty years. He particularly wished that he should not be misunderstood upon this point. He did not wish it to be supposed that, because he said that the number of paupers had not increased to any alarming extent, he was satisfied with the existing state of things. He was far from being satisfied with the existing state of things; and he thought the most energetic steps should be adopted to diminish pauperism. But, although the proportionate increase of pauperism was not so great, the increase in the amount of the expenditure had been enormous. He must, however, first be permitted to say that an increase in pauperism did not necessarily depend upon Poor Law legislation. On the contrary, when there was any unnecessary Imperial expenditure, or when any mistake was made in our social legislation, the result was to be found in the register of pauperism. As regarded the increased expenditure, why is it, that the expenditure had increased, while we had not a very much larger number of paupers? He believed that public opinion was quite as much responsible for it as that House, the Poor Law Guardians, or the Poor Law Board. In 1864 and 1865, the public conscience, if he might say so, was first roused to the state of the sick poor in workhouses, and public opinion was not satisfied with the treatment which the poor received. The consequence was that every kind of improvement in the sanitary and general condition of the workhouses had been demanded from that time to this, and the expenditure had increased accordingly. He did not say whether this was to be regretted or was not; but we could not expect the two things—we could not expect the rates to be kept down at the same time that we were establishing a higher standard of treatment for the poor. He had heard a good deal of sound language with respect to expenditure in the course of this debate—language very different from some which had been held in former debates on this subject. Having been only a short time at the Poor Law Board, he could speak independently and impartially on the point, and he would express his opinion that, in former years, the expenditure had been curtailed and cut down by the Poor Law Board to a lower point than the public feeling would have sanctioned. The country must make up its mind to spend a good deal of money in improving the condition of the inmates of workhouses, or not to improve it up to so high a standard as that to which the public had been looking. But how did his hon. Friend the Member for East Suffolk (Mr. Corrance) propose to meet the increased expenditure? Why, by opening a new tap. His hon. Friend suggested that the rates should be contributed locally, Imperially, and by the owners of property. The observations of his hon. Friend with respect to the latter mode of contribution were very pregnant, and he was rather surprised that they had not elicited an expression of opinion from the owners of land. He should like to hear what they thought of the proposal to place a portion of the burden directly on the owners of land. He was not prepared to say that his hon. Friend's suggestion on the point was not a good one. He did not think he desired its adoption with the view of lessening the burden, but with the view of interesting the owners of land more in the administration of the Poor Law. This would be a good object to attain. Nor would the plan be a shifting of the incidence of taxation, because political economists hold that the owners of land paid the rates. It might be desirable, therefore, that the owners of land should do what his hon. Friend suggested; but the hon. Member for South Leicestershire (Mr. Pell) did not seem to think it would lead to a decrease of the exditure, because he proposed that the latter object should be brought about by making the occupiers pay the rates. For himself he must say that, though he dissented from other remedies proposed by his hon. Friend the Member for East Suffolk, he did not dissent from that one. With regard to the children, he agreed with his hon Friend that where it could be done—but this was a large limitation—district schools should be established. He, however, endorsed all that had been said on this point by his hon Friend the Secretary to the Poor Law Board. These district schools could only be formed with the consent of the Guardians; and as in many cases they preferred to keep the children under their own eye the matter was sometimes one of difficulty. In some parts of the country the distances to which children would have to be sent to the district school would be very great. That might be overcome if the children had to be sent only once for all; but here arose another difficulty. The pauper children in and out of workhouses were not a permanent class. To this circumstance might be attributed the comparative failure of what was known as Denison's Act. The children could not be left long enough in school. The law allowed the school penny to be paid only as long as the child was in receipt of relief. That might be only a month. To insure the children being kept long enough at school, it would be necessary to keep them there even after the Guardians had ceased to give them relief. But evidently this was a part and parcel of the question of compulsory education; and, while he felt as strongly on the subject of the education of pauper children as his hon. Friend the Member for Sheffield (Mr. Mundella), he thought it would be premature to lay down any new plan for that class, inasmuch as the Government hoped to introduce next Session a general Bill on primary education. He sympathized in what had been said by the hon. Member for Westminster (Mr. W. H. Smith) in respect to the children in workhouse schools costing three times as much as children in their own homes; but he believed that the assistance given to those children obtained more general approval than any other advantage conferred by the Poor Law system. He thought that his hon. Friend the Member for Sheffield had been rather hard on the large district schools. In the metropolis there were but comparatively few cases in which the school was in the same building as the workhouse. Then as regarded the sick. The hon. Member for Newark (Mr. E. Denison)—who had spoken that evening so exhaustively upon the subject—had said that he recognized in the sick a class who were on all grounds entitled to relief. The hon. Member for Salisbury (Dr. Lush) had stated that in his opinion every pauper had a right to the services of the medical officer, and he even went so far as to deplore that some paupers actually preferred paying for their medical relief. Now, he admitted that the sick must be treated with humanity when they became paupers, but he could not help thinking that the hon. Member's (Mr. Corrance's) proposal with regard to the sick and the aged was one that would strike at the root of the independence of the English labourer. Where would the insurance and the friendly societies be if the State accepted such a responsibility, and if every man who had attained a certain age, or had fallen into a certain state of health, was to be entitled to be maintained at the national expense? It was, he confessed, with a feeling of shame, that he saw so many persons thrown upon the rates with the first sign of a frost. Was the English labourer so differently framed from others that he could not provide even for two or three weeks in advance; but that any of these accidents, of which he ought to have foreseen the possibility, must at once throw him upon the rates? He was quite prepared to admit that it was their duty in such cases to provide the minimum relief; but he denied that they were bound to make the class of paupers thoroughly comfortable, or that they must accept the doctrine that they were guilty of barbarism and cruelty in refusing to do so. Why should England be the only country with this elaborate system of superannuations? Let them do what they could to reduce the numbers of the sick, and to improve the system of outdoor medical relief, but do not let them lay down doctrines which struck at the root of the independence of the English working population. With regard to the question of vagrants, there was no doubt that persons belonging to this class ought to be more effectually dealt with, and his right hon. Friend the Secretary of State for the Home Department and himself had been very anxious to submit to Parliament during this Session a measure relating to this subject. Now, his hon. Friend the Secretary to the Poor Law Board had not attempted to deny the increase which had occurred in the number of vagrants; but, at the same time, he had very properly attempted to correct the impression that there were 33,000 vagrants receiving relief, when, in reality, they only numbered 7,000—too many, he was quite willing to admit, and a number requiring to be dealt with, but not so numerous as was commonly believed. With regard to the vagrants he would, moreover, say, that the regrettable increase which had occurred in this direction might be traced partly, as the hon. Member for North Hampshire (Mr. W. W. Beach) had said, to the alms given along the road, and partly to the indisposition on the part of the magistrates to commit the vagrants when caught. Vagrants were put in the casual wards, and there were frequently twenty vagrants to two or three workhouse officials. The next morning when these vagrants were let out of the casual ward and told to do a certain amount of work, if they refused to do it—as they frequently did—the workhouse authorities had no power to coerce them. All the Circulars of the Poor Law Board would never get over a difficulty of that kind. It might be asked, why two or three were not selected to be prosecuted? That had been tried over and over again, but there was a difficulty in procuring convictions, because the magistrates did not regard the offence as one of a serious character, and argued, moreover, that to send the vagrants to gaol would only throw a great expense on the county. He was prepared to concur, however, in the opinion, that the vagrants ought to be placed under the control of the police. Now he felt himself compelled to say a few words with regard to the financial proposals of the hon. Member for East Suffolk. The hon. Member proposed that charities should be placed under the control of the Poor Law Board. Personally he had no objection to that proposal, which he regarded as infinitely preferable to the proposal made the other evening to exempt charities from contributing to the rates. But the hon. Member was a bold man to propose the disendowment and the disestablishment of all the charities in London and elsewhere. If, however, the hon. Member could propose any plan by which the inefficacious and mischievous system of doles could be put an end to, and by which the money now wasted could be utilized, he would be performing a great service. The whole question of charities was one deserving attention. In them they might possibly find a new resource, though a great deal of what the hon. Member referred to was the result of voluntary annual subscriptions; and, unless they were exceedingly careful, they were far more likely to check the entire flow than to succeed in placing it at the management of the Poor Law Board. But the hon. Member had said that a certain contribution ought to be made for Poor Law purposes from the Imperial Exchequer. Now he ventured to think that the arguments against such a proposal were so overwhelming that, however ably supported, it would never find much favour in that House. No doubt the hon. Member would find those who would be ready to give him their assistance in his desire to reach the Consolidated Fund; but he was quite sure that the Conservative party to which the hon. Member belonged would be afraid of opening up a system which, in its results, deserved no other name than that of Communism. When the hon. Member spoke of pensioning off the aged poor at the expense of the State—though the word might be a hard one—that was the beginning of Communism. It would be a dangerous course for the House to embark upon to open the unlimited supplies which were to be found in the taxation of the country for Poor Law purposes, and all the more dangerous when the hon. Member avowed what was to be done. It was not to secure a minimum of subsistence, but for purposes which he had clearly defined. He thought that the discussion which the hon. Member had raised had not been without its advantages. Sound doctrines had been advocated by many hon. Members; but when they heard and saw that under the pressure of local taxation, and that of increased rates, there were men who said that we were bound to provide public works and to employ all those who were without work, and when they heard and saw that there were others who maintained that it was their duty to educate the children of the paupers, to take care of the old men and cure the sick, it behoved them all to be careful as to what they were to do. He quite agreed that something might be done in the way of emigration, but not nearly so much as seemed to be expected. He did not think that the hon. Member intended to press his Motion to a division. If that Motion meant that the Government ought to be exceedingly careful and pay every attention they could to the question of pauperism, then all he could say was that a Resolution of that House was unnecessary, for they were perfectly aware of their responsibility in that respect. The hon. Member for Westminster seemed to think that the Poor Law Board was not a responsible body, but that was a mistake. The Poor Law Board was responsible for the administration of the law, if not for the law itself, and they would not shrink from their responsibility. As for the head of that Department, he (Mr. Goschen) did not know that anything could increase the individual sense of responsibility which he felt as the President of the Board .

Sir MICHAEL HICKS-BEACH said, he regretted that the hon. Member for East Suffolk (Mr. Corrance) had not confined himself to one branch of this great subject, for, in consequence, the discussion of that evening had ranged over a variety of topics, each in itself sufficiently important for consideration. With regard to the hon. Member's proposal to throw more of the burden on the owners of property, he was sure he should be in accordance with the right hon. Gentleman opposite (the President of the Poor Law Board) if he said that he, for one, was very much inclined to concur in it; but he did so on condition only that it was possible to find some means by which the owners who might thus be taxed should manage the expenditure of the taxation. The increase in the poor rates and in the numbers relieved was generally admitted; but some of the remedies proposed had been remarkable, and some impracticable. He would not say that the law had been in all respects well administered; there had been defects, and one source of the defects was that greater powers had been obtained from Parliament by the Poor Law Board than they were inclined to exercise. The proposal to provide public works for the employment of the people, and to aid clubs for medical relief and for superannuation from the rates, was one which he hoped it would be long before the House sanctioned, for he agreed with the right hon. Gentleman opposite (the President of the Poor Law Board) that it involved nothing less than a social revolution. The great panacea of the hon. Member for Dorsetshire (Mr. Floyer) appeared to be almshouses, and the hon. Member seemed to think that food and shelter should be forthcoming to any vagrant without inquiry. Those ideas were by no means practicable, and he hoped they would not receive the assent of the House. Anyone who had had experience of almhouses knew the evil of them. They were an endless source of quarrelling to occupants and would-be occupants; they were inimical to a spirit of self-reliance; and they made no provision for the labourer in his old age beyond the shelter of the bare walls. The views of the hon. Member for Sheffield (Mr. Mundella) as to the remedies which should be adopted were very remarkable. Education, particularly secular education, would not of itself stop crime, the feeder of pauperism; and equally futile was the proposal with regard to decreasing the national expenditure, for, unfortunately, those who became paupers were not tax-payers. The game laws doubtless required amendment, but was it fair to charge a man who preserved pheasants with encouraging pauperism, any more than to charge a jeweller who displayed his stock in the window with encouraging theft? He concurred with everything that had been said in favour of district schools, and he would be only too glad to give the right hon. Gentleman any help in removing difficulties in the way of establishing them. Nothing better could be wished for the children than their removal from the danger of being contaminated by adult paupers in the workhouses. This mainly applied to girls, for in country workhouses few boys remained beyond a tender age, but girls were always to be found there, learning little but what was bad. There was a system called the boarding-house system which prevailed in Lincolnshire and Edinburgh, and from a Paper recently presented to the House, it appeared that the Poor Law Board had lately given a qualified sanction to that system. But he trusted it would not be generally sanctioned until it had been further tried, for it was very difficult to secure proper supervision, without which the results might be worse even than those of the present system; there was no real guarantee that children were not overworked, and that they were properly fed and properly instructed, unless some charitable person would devote his time and attention unremittingly to their supervision. He had hoped to have heard from the Government something more definite as to their intentions with reference to vagrancy. He would have been glad to see a Bill introduced without delay for dealing with that serious evil. It was not a new question—indeed, it was centuries old, and we had gone so far as to brand, to enslave, and even to hang vagrants; but without such absurd harshness, which only defeated itself, he believed it would be possible, by a combination of measures, to secure a great diminution of vagrancy. The first suggestion he would offer was that every new vagrant ward should be built with separate cells, so that each vagrant should be kept apart from the others both for labour and for rest, and that vagrants should be placed entirely under the inspection of the police. At Oswestry and Richmond separate wards had been established, and with the most satisfactory results, as testified in one case by the Report of the Inspector of Constabulary. He hoped the right hon. Gentleman would press separation on the Guardians, and if they did not adopt it, that further measures would be passed by Parliament to compel them. There must also be uniformity—uniform work, uniformly insisted upon, with uniform diet, and then vagrants would not be tempted to go from one workhouse to another. It would be well also to extend the ticket system, which had already been adopted in Gloucestershire and several other counties; so that any one on the production of a ticket showing that he was travelling straight to his destination in search of work, might receive food and shelter without the exaction of the task of work; and the public would thus be deterred from indiscriminate charity, knowing that deserving persons were everywhere properly provided for. Another point of great importance was the proper performance of their duties by the magistrates; for it appeared from the Reports of the Inspectors of Constabulary that in some districts the police were not generally supported in apprehending vagrants, and in others, as in Cumberland and Westmoreland, they were; and the result was that professional tramps were scared from the places where the law was enforced, in such a way as to suggest that if it were equally carried out in all counties, the tramps would have to give up their trade and resort to honest labour. He might add, that there were two valuable clauses in the Habitual Criminals Bill which would facilitate the supervision of criminal vagrants. These remedies might check the spread of vagrancy; but, in his opinion, the admitted increase of pauperism, properly so called, arose from the fact that the Poor Law was now expected to work under conditions never anticipated. The corner-stone of the old Poor Law was that the workhouse should be a test for the able-bodied, but it had ceased to be so; it had become a hospital for all the sick poor in the union; and as in our large towns this class alone had become so numerous that all the wards in the workhouses were overcrowded with them, the Guardians had no room to take in the able-bodied, and therefore could not apply that test. Out-door relief, practically unchecked, was therefore their only resource; and this was in some places almost indiscriminately given; hence the enormous increase in the expenditure and in pauperism in London and other large towns. He did not complain of giving the sick poor proper accommodation, but he deprecated making the workhouse too comfortable even for them. Having visited the new infirmary wards of Marylebone Workhouse when Secretary to the Poor Law Board, he could say without hesitation that they surpassed in comfort and elegance the squalid homes the paupers had left nearly as much as a West-end residence. It was a fact that the independent spirit which formerly kept people from the workhouse had to a great extent failed, and little else kept them from it now but the strictness of the discipline there enforced. In the absence of the workhouse test, the labour test should be applied; but in some cases—in Lancashire and Yorkshire, for instance—neither the workhouse nor labour test could fairly be said to be in force; it could not, therefore, be a matter of surprise that the able-bodied paupers in the large towns in those counties had much increased of late. The administration of out-door relief had been far too lax; the officials who administered the relief were underpaid, and the Guardians failed to exercise the personal supervision their duty required of them. But all this supported the demand for proper classification, for some time past insisted upon by the Poor Law Board, which, if carried to its full extent, would include separate houses for the sick, which might be comfortable hospitals, for the able-bodied, which should really be a workhouse, and separate schools for the children. This could well be done in the metropolis and the larger towns, but it could not be the rule in thinly populated districts, where the paupers had to travel ten or twelve miles to their union. The principle had been adopted, with regard to the metropolis, in the Bill passed at the instance of his right hon. Friend the Member for the University of Oxford (Mr. Gathorne Hardy), by which lunatic asylums, fever hospitals, houses for the sick, and workhouses for the able-bodied might be separated from one another; and he would have been glad to hear the Government had resolved to extend the principle to large towns in other parts of England. The only way of dealing with the able-bodied pauper—for whom he had little sympathy—was to set apart a house for him, and meet him at every turn with a good strict test. He did not refer in saying this to cases such as that mentioned by the hon. Member for the Tower Hamlets (Mr. Samuda), in which a number of men were suddenly thrown out of work; that was a case which would very properly have been met by an emigration test, under which emigration might be offered as the sole kind of relief. Altogether, the facts adduced by the hon. Member for East Suffolk, and those admitted by the President of the Poor Law Board showed exactly where the Poor Law had failed. He agreed with a suggestion that had been made that, while in some cases the strict legal relief only should be given, in others it might be possible to supplement it from funds subscribed by the charitable, and thus to combine the administration of our voluntary charities with that of the local rates. He hoped that, in considering the question, the Government would attempt in some measure to carry out this suggestion.

MR. ANDERSON said, that the system of boarding pauper children with decent families had been carried out in Edinburgh with marked success. By this means the taint of pauperism was removed, and the children were absorbed into the general mass of the population. He agreed with the hon. Member for Sheffield (Mr. Mundella) that the reduction of taxation would diminish pauperism by increasing commerce and manufactures and giving employment. As to vagrancy, if they should determine to deal with it as a crime, great care must be taken to distinguish between ordinary vagrants and honest working men travelling from place to place in search of employment.

MR. JOSHUA FIELDEN said, that this was a subject in which his constituents took a great interest, and he wished therefore to say a few words upon it. It had been almost taken for granted that the principles of the Poor Law of 1834 were the correct principles upon which such a law should be based. Some years ago he was Chairman of the Board of Guardians of the Todmorden Union. In that union there was no union workhouse system, and he could, therefore, speak from some amount of experience, not only of the working of the Poor Law, but of the effects of that law, where out-door relief only prevailed. It must be remembered that the principles now avowed as proper to guide us in the administration of relief were not the principles which were acknowledged when the new Poor Law was introduced. The Secretary to the Poor Law Board had, it was true, stated to-night that we had done well whenever we had followed the principles of the measure of 1834; but he would be a bold man indeed who attempted now to carry them into effect. The principles of the new Poor Law were clearly shown in a remarkable document which was never intended to meet the eye of the public—a document which the late Mr. Walter, then Member for Nottingham, accidently discovered among the papers of a writer for *The Times*. That paper Mr. Walter brought before the House of Commons, and he would read a passage from it which clearly showed what the intention and object of the framers of the new Poor Law were. The paper was entitled—"Measures submitted by the Poor Law Commissioners to His Majesty's Ministers," and was submitted to them in 1833. The following appeared in that paper:—

> "That at any time after the passing of this Act the Board of Control [which held the same place as the Poor Law Board held now] shall have power, by an order, with such exceptions as shall be thought necessary, to disallow the continuance of relief to the indigent, the aged, and the impotent, in any other mode than in a workhouse, regulated in such a manner as by the aforesaid Board of Control shall be determined. The power of the Commissioners would be to reduce allowances, but not to enlarge them. After this has been accomplished, orders may be sent forth directing that after such a day all out-door relief should be given partly in kind; that after such another period it should be gradually diminished in quantity until that mode of relief was extinguished. From the first the relief should be altered in quality, coarse brown bread being substituted for fine white, and, concurrently with these measures as to the out-door poor, a gradual reduction should be made in the diet of the in-door poor and strict regulations enforced."

For a long time the principles embodied in that paper were carried out. Orders were issued of the most fearful and inhuman kind. Could it be believed that in the Andover Union Inquiry it was admitted by Sir Frankland Lewis, one of the Commissioners, that Mr. Edwin Chadwick had written and induced the Commissioners to issue an order that the bells should not be tolled at the funeral of a pauper. Mr. Chadwick knew that Sir Frankland Lewis was opposed to the issue of any such order, and therefore brought it before the Commissioners during the absence of Sir Frankland Lewis. Eventually the order was, at the urgent intreaty of Sir Frankland Lewis, altered by forbidding the "excessive" tolling of the bells. The administration of the law had been most harsh and cruel. Would it now be believed that it had been shown in the revelations which came out before the Andover Union Committee that the people in that union workhouse were so famished that they were in the habit of eating raw potatoes, grains, and refuse food which had been thrown to the hogs and fowls; and still worse revelations came out before the Committee. It was proved before the Committee that all this was done with the knowledge of the Commissioners. What was the result? What must always be the result in such a case. They might drive the poor from the workhouse doors, they might make relief so odious that the poor would not accept it, but they would not thereby get rid of the poor. It was said that the Poor Law Board never did break up a cottage; but he knew of instances in which the Poor Law Board had decided that a man should sell his furniture before he could get relief. At all events, they had evidence of what the intentions of the Commissioners were. He found in the Third Annual Report of the Poor Law Commissioners, pages 86 and 87, the following "Instructional Letter," issued by the Commissioners to Boards of Guardians on their formation:—

> "Where the pauper is the head of a family, and he declares that he has no work, and proves satisfactorily that he can obtain none, either in his own or in any of the parishes within a reasonable distance, he may be offered temporary relief within the workhouse until he can get some kind of work—relief wholly or chiefly in kind being given in the interval to the family, to prevent the immediate necessity of selling off their goods and breaking up the cottage establishment. The pauper should distinctly be told that such an arrangement can only be temporary, in order that his wife and family may seek work for him; and that the strict workhouse principle requires that all the members of a family claiming relief should enter the house, and give up their property for the benefit of the parish."

The avowed intention of the framers of the New Poor Law Amendment Act of 1834 was to make the condition of receiving relief so harsh and cruel that the poor would resort to anything rather than submit to the degradation of the union workhouse test—for degradation it was to the honest labourer, ready and willing to work—and it must be remembered there was no distinction made between such an one and the idle and the dissolute. The effect of the Poor Law had been to drive men away from the country to the large towns, and from one large town to another, till eventually they found their way up to London; and we were now face to face with the large army of vagabonds and vagrants thus created. A man once compelled to break up his house, once driven from the locality to which he was attached, and where his family had lived, perhaps, for centuries, became of necessity a vagrant, and but one short step was needed to make him a thief. In proof of what he had stated he would refer to the 42nd Report of the London Fever Hospital for 1844, issued just ten years after the passing of this inhuman law. At page 14 it was stated by the physician, Dr. Southwood Smith—

> "A large proportion of the subjects of fever, received into the Hospital during the past year, were agricultural labourers and provincial mechanics, who had been induced to leave their native counties in search of work, and who, either on their road to the metropolis, or soon after their arrival in it, were seized with the disease. The causes assigned for their illness, by these poor creatures themselves, were various, some stating that it was owing to sleeping by the side of hedges, others to want of clothing—many being without stockings, shirts, shoes, or any apparel capable of defending them from the inclemency of the weather; while others—and these constituted a very large proportion of the number—attributed it to want of food, being driven by their intense hunger to eat raw vegetables, turnips, and rotten apples; and certainly their appearance, in many instances, fully corroborated the truth of their representations."

The effect had been such as he had described, and we had now, in London, an army of vagrants, vagabonds, and criminals, that we were at our wits' ends to know how to deal with. ["Divide."] He hoped that hon. Members would permit him to give a few figures on this subject more especially as they differed materially from the figures given by the President of the Poor Law Board. Those he was about to quote had been taken from a little book called *Statistical Abstract*, and published by authority, in 1868, and presented to both Houses of Parliament. The Returns extended from 1853 to 1867, the very period during which the operation of the Corn Laws was said to have given to the country such unprecedented prosperity. In 1853 the population of England and Wales was, in round numbers, 18,404,368, and in 1867, 21,429,508, being an increase of 3,025,140. The number of paupers exclusive of vagrants, in receipt of relief in England and Wales was, in 1854, 818,337; and in 1868, 1,034,823, showing an increase of 216,486. The total amount expended in relief to the poor and for other purposes, county and police rates, &c., was, in 1853, £6,854,788; and in 1867, £10,905,173, showing an increase of £4,050,385. This total expenditure was distributable under two heads. The amount expended in actual relief to the poor was in 1853, £4,939,064 as against £6,959,840 in 1867, being an increase of £2,020,776. The amount expended for other purposes, county and police rates, &c., was, in 1853, £1,915,724, against £3,945,333 in 1867, showing an increase of £2,029,609. The same figures might be given in another and more convenient form. The population of England and Wales between 1853 and 1867 increased 16 per cent; the number of paupers, exclusive of vagrants, receiving relief increased 26 per cent; the amount expended in actual relief to the poor—not including the county and police rates—increased no less than 41 per cent, while the amount expended upon the county and police rates, indicating the number of extra police put on to combat this army of vagrants, due to the new Poor Law and union workhouse system of recent years, increased by the enormous amount of 105 per cent. These figures, taken from official sources, certainly did not harmonize with the figures put forward on behalf of the Poor Law Board. If they continued to treat the hard-working poor of England upon the same plan in all respects as they treated vagrants the evils felt at present would go on increasing. The true remedy was to subdivide the unions, and circumscribe the arrears of relief; and to bring to bear more individual responsibility in the persons engaged in the distribution of relief.

MR. CARTER said, he thought that the hon. Gentleman opposite (Mr. Fielden) did not truly represent the feelings of the West Riding, and that his speech, instead of being delivered to the House of Commons, ought to have been delivered to Chartists twenty-five years ago. For his own part he asserted that satisfaction was generally felt at the mode in which the Poor Law was administered. The best mode of preventing pauperism were first by educating the people, and next by limiting the liquor traffic.

MR. CORRANCE, in reply, said, he had no difficulty in acceding to the request made opposite that he should withdraw his Motion. He had nothing to complain of in the speech of his hon. Friend the Secretary of the Poor Law Board (Mr. A. W. Peel), who had shown much official capacity in defending a bad case. The figures which he (Mr. Corrance) had put forward at the beginning of the debate had been much distorted and misrepresented, but their substantial accuracy, as far as related to the increase of pauperism, had not been disputed. He had been misunderstood upon several points by the right hon. Gentleman the President of the Poor Law Board, and hon. Members opposite, especially with regard to the manner in which he had proposed to deal with the charities of the metropolis and the friendly societies. He was told that it would be a long time before the scheme he proposed was adopted, and he thought that, perhaps, no stronger reason could have been given for its ventilation that night. It might be so; but, at all events, he felt that in bringing forward this matter he had only discharged a duty that was binding upon his conscience, and as he trusted no less so upon other hon. Members of that House.

Motion, by leave, *withdrawn.*

COURTS OF JUSTICE (NEW SITE) BILL.

LEAVE. FIRST READING.

MR. LAYARD said, he rose to move for leave to bring in a Bill to repeal portions of the Act of the twenty-eighth and twenty-ninth years of Victoria, chapter forty-nine, and to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire a New Site for the erection and concentration of Courts of Justice and of various Offices belonging to the same. He regretted that he was unable to accede to the appeal of the hon. Member opposite that he should not bring on this subject at that late hour of the evening; but as he should have no other opportunity of doing so before the Recess it was a matter of urgent necessity that he should proceed with his Motion. He had hoped that the discussion on the Motion of the hon. Member for East Suffolk (Mr. Corrance) would have terminated earlier; but as he was simply moving for leave to introduce the Bill, he would merely make a statement of facts respecting which both the House and the public were in a great degree ignorant, and he hoped that any discussion upon the subject would be reserved for the second reading of the Bill. It was unnecessary for him to enter into any history of the proposal for the concentration of the Law Courts, and he should merely refer to what had occurred in order to put aside at the outset the argument that the Thames Embankment site had already been discussed and had been rejected. There was no doubt that the idea of erecting an embankment on the Thames had prevailed, he might say for some centuries. As far back as after the Great Fire of London, Wren and Evelyn put forward the idea of constructing a Thames Embankment, and from that time to this it had been the constant project of persons desirous of embellishing the metropolis to form an embankment on the Thames. But it was only within the last two or three years that that idea had become a substantial reality, and that the advantages it offered for the erection of public buildings had been fully appreciated. When the question of the site of the new Law Courts was discussed in this House on a former occasion, and when it was referred to the Royal Commission, there were in fact, only three sites taken into consideration—that of Westminster, that of Carey Street, and that of Lincoln's Inn. Consequently the Embankment site for the new Law Courts has never been fairly considered. The right hon. Gentleman the Chancellor of the Exchequer had entered so fully into the financial position of the Carey Street site that it would be unnecessary for him to go into that branch of the subject at any length. He would merely remind the House that Parliament had been induced to accede to the Carey Street site on the condition that the expenses of the building and the site together should not exceed £1,500,000, and that a certificate should be given by the Commissioners that that sum should not be exceeded before the compulsory powers for the purchase of land should be exercised. The required certificate was given by the Commissioners, that the Carey Street site would not cost more than £750,000, and that the building could be erected for an equal sum. Up to the present time, however, no less than £880,991 7*s.* 5*d.* had been expended upon the site alone, and the Commissioners now put the total expense of purchasing the land required and for erecting the building at £3,200,000. The land already purchased had, as he had just stated, cost nearly £900,000; the additional land to be purchased was put down at £700,000 more; the building was estimated to cost £1,574,000; architect's commission, £74,000; furniture, £150,000, making the total of £3,200,000. This estimate, however, made no provision whatever for the approaches. It was absolutely necessary that these approaches should be made in the event of the Carey Street site being selected, because access to three of its sides for carriage traffic was almost prevented either by lofty buildings, or by squalid and wretched houses, which must, of course, be swept away in the event of the new Courts of Justice being erected on that spot. His hon. and learned Friend the Member for Richmond (Sir Roundell Palmer)—who made so able a speech in favour of the Carey Street site—admitted that approaches to it were necessary, but he threw the expense of making those approaches on the Metropolitan Board of Works, a duty and expense which he (Mr. Layard) was quite sure no metropolitan Member would for a moment accept. When he took the Office which he now had the honour to fill, he found this state of things existing—that he was expected to bring in a Bill to acquire additional land which would cost about £700,000—that the House had acted upon representations which had turned out to be inaccurate—that vast expense was being incurred—that the proposed approaches to the Carey Street site could not be constructed for less than £1,000,000 at least. He would venture to say that a building on the scale proposed on the Carey Street site would, in the end, involve an expenditure of above £4,000,000. Well, he communicated with his right hon. Friend the Chancellor of the Exchequer, and he found that he had come to exactly the same result on the financial part of the question that he (Mr. Layard) had on the architectural. They both felt that it was impossible to sanction this enormous expenditure; and they therefore determined to prevent any further step being taken in the matter until the House should have been consulted with regard to it. Having arrived at that conclusion, it had become his duty to look at the several schemes which had been proposed for the erection of the Law Courts. First of all there was the scheme proposed by the hon. Member for Bath (Mr. Tite), according to which the new Law Courts were to be erected upon the Carey Street site without any additional land being purchased, and the offices in connection with them were to be built upon the Thames Embankment. The cost of that scheme, however, had been estimated to amount to £2,710,000. He objected to that scheme because of the expense, because he was satisfied that more offices were proposed to be erected than were necessary, and because he thought that the separation of the strictly law offices from the Law Courts would be attended with great inconvenience. A converse proposition to build the Law Courts on the Thames Embankment and the law offices on the Carey Street site he had rejected for similar reasons; the cost would have been about £3,000,000. Then there was the plan of Sir Charles Trevelyan, which was, no doubt, an attractive and comprehensive plan. So attractive was it that it had a very large amount of public support in its favour. Sir Charles Trevelyan had shown that his plan was not only a very magnificent and convenient one in itself, but one that would necessarily bring about a great many changes even to the north of the Strand, which would be so many public improvements. He thought Sir Charles' views were correct, although some considered them as visionary; but he regretted that they had been put forward in connection with his scheme, as it indisposed many persons to it. He alluded to the suggestion that Somerset House might have another story, and might become another Lincoln's Inn, and the plans for the utilization of the Carey Street site. These, however, really formed no part of Sir Charles Trevelyan's scheme; but he thought the great objection to that scheme was that in order to obtain the site between the Strand, the Embankment, King's College and the Temple, and to erect suitable buildings on it, a sum of £3,250,000 would be required; but he believed that even that site would be cheaper than the Carey Street site, because you had all the necessary approaches to it already in existence. He said this, under the assumption that there would be a considerable loss on the re-sale of the Carey Street site. On the question of building the Courts on the Thames Embankment the Lord Chief Baron had written him a letter, in which that learned Judge said that he had not had time to bring the matter formally under the consideration of the Judges, but all of them with whom he had spoken—except one who thought the proximity of Lincoln's Inn important—agreed with him in thinking that for the Bar, the solicitors, suitors, and the public, the Thames Embankment was the best site. The Inner Temple and the Middle Temple had sent in memorials in favour of that site; and the fact that Lincoln's Inn had not memorialized against it showed that there was a difference of opinion on the subject among the members of that Inn. No doubt, a number of solicitors had placed themselves in Mr. Field's ranks as opponents of the Embankment site; but he knew of his own knowledge that a large number of solicitors were in favour of it. Solicitors of the highest position and largest practice, in the east, the west, and the south of London were in favour of it, as well as solicitors in the country. But he must say that he thought the area bounded by the Strand and the Embankment on the north and south, and by the Temple and King's College on the east and west, was too large a one on which to erect the Law Courts, and the offices in connection therewith. He must now mention another plan, which from a paper issued by the Law Institution this morning would seem to be acceptable to them. This was one for erecting on the Carey Street site Law Courts and offices on a reduced scale, such as those which the Government was about to propose to erect on the Thames Embankment. That was said to be the cheapest scheme. They had the land ready, and might commence the buildings at once; but he thought he could show the House that even this plan would be much more expensive than that which the Government was about to propose. The land at Carey Street had already cost about £900,000. The buildings would cost £1,000,000, which would make the expenditure for land and buildings £1,900,000. But there were no approaches except the one from the Strand, and a great public building could not be left there in a hole. On the north was a pile of lofty buildings belonging to Lincoln's Inn, which would prevent a free circulation of the air to the Courts. At one side there was a road scarcely more than thirty feet wide, and on the other an alley about fifteen feet wide. To provide the necessary approaches would cost at least £500,000, but in his opinion the cost would be nearer to £1,000,000. It was now his duty to propose an alternative plan, which had already been suggested to the House by his right hon. Friend the Chancellor of the Exchequer, and which had met with much adverse criticism. He was quite prepared to bear the blame of having suggested this plan to his right hon. Friend. Anyone who looked to a map would see a street which ran from Arundel Street to Surrey Street, parallel to the Strand and the Thames Embankment. It was called Howard Street. Some alleys formed a continuation of it to Essex Street. The block of land which was proposed as the site had Howard Street and these lanes or alleys on the north. It was bounded on the west by King's College, and had Essex Street and the Temple to the east. To the south was the Thames Embankment. The whole site which it was proposed to use—including the land re-claimed from the river—was six acres in extent. Now, the House would observe the advantage of this site. In the first place, by taking it an expensive frontage to the Strand would be avoided. Then almost the whole of the property belonged to one proprietor, the Duke of Norfolk. The site was not, as alleged, a hole; the position was one of the most commanding on the Thames, and Howard Street was very little below the level of the Strand, there being but a slight fall from the Strand to the end of Howard Street, and its level could, without much difficulty, be made equal throughout its whole length. On this site the eighteen Courts and all the necessary offices could be erected. He had gone fully into the whole plan with Mr. Street, who had met him most honourably, and though at first in favour of the Carey Street site, and anxious to carry out that plan, now approved of the new proposal. The House would remember that in Mr. Street's plan for the buildings on the Carey Street site the Courts were to stand in the centre of a quadrangle. The buildings forming the quadrangle were to contain the offices, and persons would have to pass through the quadrangle to get to the Courts. In adapting his plan to the new site Mr. Street had acted upon a much better principle than the one which he had described, though there was no necessity for altering the general arrangements of the Courts and offices. He proposed to erect near King's College, on the west, the Courts, and on the east would be placed all the offices. Now, according to the plan issued by the Incorporated Law Society in the hands of hon. Members, the buildings were to project eighty feet beyond Somerset House. But that was contrary to the fact, for they would be continued in a line with the terrace of Somerset House. The only part where there would be a considerable projection was at the extreme east corner, where there was a piece of reclaimed land belonging to the Board of Works, on which it was proposed to build a railway station, and which the Board might have used for building purposes to which he would presently allude. This site afforded at once every necessary approach except one, and that, too, without any expense to the public. The only approach it would be necessary to construct was one to the north of the Strand, and joining it with Holborn, and that approach they would have to provide whichever site they might select. The Embankment, would be accessible by road, river, and rail, and when the circular line was completed country solicitors would be able to get to the Courts without having to cross even a single street. The terrace in front of Somerset House already existed as a carriage road, and could be used by the Judges, who would be able to drive along it and alight on a level with the Courts. By Norfolk Street they could reach the Courts with equal ease; whereas on the north side of a building on the Carey Street site they would have to ascend forty steps, and from the Strand seventy or eighty, while the public would have to ascend 100. There was another advantage in having the Courts and offices separated—that either would admit of extension, if necessary, towards the north without interfering with the building. Now, as regarded the expenses of the scheme, he had gone most carefully into the estimates. Those estimates had been prepared by Mr. Hunt, the consulting surveyor of the Board of Works. Mr. Hunt, whose estimates were rarely if ever exceeded, and who was a gentleman of great sagacity, had set down the value of the land at £600,000. He believed that the cost of the building would, at the outside, be £1,000,000, therefore the whole sum would be £1,600,000. But estimates were so often exceeded that the House might naturally ask what guarantee they had that such would not be the case in the present instance. He believed he could give the House ample guarantee. £600,000 he believed to be about the value of the land, and with regard to the estimate of £1,000,000 for the buildings, the House, might, perhaps, remember that when the Carey Street site was limited to six acres the buildings were proposed to be erected for £750,000, and it was with an enlarged area that the estimate was increased. Now, the Embankment site was only six acres. He believed that the Courts of Law might be built upon it for £750,000; but he he could undertake that the estimate of £1,000,000 should not be exceeded. He believed that the office of the Board of Works was now better organized than it was formerly, and he would undertake that not a stone should be laid or a bit of earth turned until contracts for the performance of the work within the estimated amount had been entered into; he would point out to the House one or two sources of economy on the Embankment site. The building materials required might be brought by water, and might be carried over the Embankment without interfering with the traffic. Let them contrast with this the state of things which would result from the continual blocking of the traffic in the Strand for so many years in case they adopted the Carey Street site. Another and not unimportant feature was due to a consideration which hon. Gentlemen experienced in architecture would easily comprehend. When a building, owing to its position, could only be seen in part and in detail, it was necessary to resort to ornamentation to make it effective, and it was in this way that large sums of money were spent. When, however, there was an extensive frontage, it was unnecessary to spend so much upon ornamentation. The general effect of the building would then depend upon its proportions, and upon the judicious arrangement of the masses, which produced light and shade. It was not the smallest recommendation of the new site in his eyes that here the space would be contracted on two sides — so that there would be no temptation to throw away million after million in the purchase of unnecessary land, though it would be easy to extend the building at any time towards the north if further accommodation should hereafter be required. One of the objections urged against the Embankment site was that £500,000 would be lost by re-selling the Carey Street site. In answer to that objection he might say that he had received offers from parties of the highest respectability who were willing to purchase the site on the basis of the price paid for it by the Government — he did not, of course, include the law, and other contingent expenses. He was advised by Mr. Hunt not to be hasty in closing with any offer that might be made. Of course, they must take care not to put the whole of the land into the market at once; but if it were re-sold prudently the Government might not only be able to recoup themselves, but, perhaps, do something more. Another difficulty was the question of the railway station on the Embankment; and, no doubt, if this had to be placed in the very centre of the Law Courts it would be exceedingly objectionable; but he had communicated with the Metropolitan District Railway Company and with the authorities of the Temple, and he had every reason to believe that arrangements might and would be made to remove the railway station to a spot near the entrance to Essex Street. Another objection raised to the change of site was the loss of time which would thereby be occasioned. Now, under no circumstances could you commence building on the Carey Street site within a year; because if you had to acquire additional land you must give the necessary notices next autumn, and even if this fresh acquisition of land were given up, no working drawings or elevations had been made. The plan at present in existence was a mere sketch plan, and he was informed on authority that a year must elapse before working drawings and specifications could be made so that contracts might be entered into and the building commenced. Now, on the Embankment site he proposed to proceed at once as if notices had been given. The course was an irregular one, and in order to carry the Bill it would be necessary to ask the House to suspend its Standing Orders. The Government proposed to proceed as if notices of intention to take this site had been given in November last, to serve notices to treat immediately after the passing of the Act; to bind themselves to take within three months, if called upon by the owners to do so; and to limit themselves to the 30th of June, 1870, for putting the compulsory powers into execution. The Bill would be referred to the Examiners, who would, of course, report that the Standing Orders had not been complied with. It would then be for the Standing Orders Committee to decide whether this was an exceptional case in which the House might be advised to suspend its Standing Orders. If, as he hoped, the Committee gave and the House acted on this advice, and if the Bill were read a second time, it would be referred to a Committee, who would see that no injustice was done to occupiers or owners. He was advised that the course he proposed to take would be of great advantage both to occupiers and owners by doing away with the uncertainty which now often hung over their heads, owing to the delay which took place before the Government came to a decision as to the exercise of compulsory powers. In this case the Government would be bound forthwith to give the notices to treat, and avail themselves by June 30 in next year of the compulsory powers given to them by the Bill. As he had said, there were, fortunately, few persons to deal with. The chief owner was the Duke of Norfolk, and he had reason to believe that on the part of his Grace no obstacles would be thrown in the way of the Government. If, therefore, the House assented to the Bill there would not be a single hour's delay. The sketch plans for the Carey Street site had, by some changes, been adapted for the new site; they were now being lithographed; and the Government would be in exactly the same position as if they were going to build on the Carey Street site. As to the argument against delay, he thought that in a great work of this kind a year more or less was of very little importance, and that to sacrifice a magnificent site and make a bad building for the sake of possibly saving a year would be a most serious misfortune. However, if the Bill passed they could begin at once to clear the site and commence the building between Howard Street and the Embankment. He did not bind himself to all the details of Mr. Street's sketch plans. The accommodation asked for by the different departments and offices might be too large; whatever anybody had asked for seemed to have been given in these plans. The thing had been done on far too vast a scale, and he thought it would be possible to cut down these plans and make the cost of the buildings less. He would undertake to say that on the six acres proposed to be required on the Embankment, every necessary Court and all the dependent offices could be easily accommodated, and for a moderate sum. He had been asked for a model, and was strongly of opinion that no great public building ought to be erected without a model upon a large scale, having first been submitted to the public. But a model could not be made until the elevation had been decided upon. It would be his duty to see that such an elevation as he thought would satisfy the public was designed by Mr. Street, and then a model should be prepared and placed in some public place in order that it might be seen and criticized. A great deal of criticism had been bestowed upon the Chancellor of the Exchequer for suggesting the adoption of the design by Inigo Jones, for a Royal Palace at Whitehall. Now, his right hon. Friend had not pledged himself to that idea, and, as he believed, had no wish to insist upon it. Evidently, the plan of Inigo Jones had been prepared for an entirely different purpose. It was a design for a palace, and would not, therefore, be suitable for Courts of Law. Nor would it be desirable to have a long Palladian building running continuously with Somerset House, for the effect of that would be monotonous. His own impression was that we ought to adopt a style that was thoroughly English in its character, and he believed that none was more suitable than the Gothic, but not ecclesiastical Gothic. A great mistake had been made in adopting ecclesiastical Gothic for secular purposes. The Italians had successfully adopted the Gothic style for public buildings, as in Venice, where the great ducal palace and the long line of Palladian buildings presented a very fine effect; and in the town halls of Piacenza and other cities in the North of Italy. It was altogether a mistake to suppose that Gothic architecture necessarily required superfluous ornamentation. Such ornamentation was not seen in the Italian secular Gothic, and there was no reason why we should not adopt a similar mode of treatment in our Gothic building intended for secular purposes. Besides, it would be unfair to Mr. Street, who was essentially a Gothic architect, to impose upon him a style of architecture which he had not made the subject of special study. If the House adopted the scheme which he had just sketched out we should have, he felt satisfied, on the Thames Embankment a magnificent building, which, besides being calculated to serve all the purposes for which it was intended in point of utility and convenience, would be an ornament to the metropolis and the country. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

SIR ROUNDELL PALMER: Sir, it is much too late an hour to enter into the question of ecclesiastical and Palladian Gothic, but it is impossible for me, after the speech which we have just heard from the right hon. Gentleman, to remain altogether silent on the present occasion. I do not, of course, propose to ask the House to refuse the Government leave to introduce this Bill, but I, at the same time, beg to give notice that I intend to take the sense of the House upon it when it comes on for the second reading. It appears to me that no worse scheme was ever proposed, or one more calculated to interfere with and mar a most useful project of reform. I must now complain, as I complained on a former occasion, that much which has been said on this subject is calculated to raise a false issue. Nothing more unjust or uncandid could possibly be said than has been said to-night and was said then as to the proceedings and recommendations of the Royal Commission. It is said that the House had only to choose between those recommendations and the present plan of the Government. This is the plain history of the Commission—It was forced on the Government which, in 1865, introduced a measure which is at this moment the law of the land, and which it is now sought to undo. The Commission consisted of persons representing all the different branches of the law. The most eminent Judges were among its members. It embraced a numerous selection from the Bar, from among solicitors, and from all the officers of the Courts. It represented the real views of all those parties, and was not—whoever has been so informed—simply a body giving formal expression to the views of some other persons. The Commissioners met from time to time, generally in large numbers. They appointed sub-Committees, and went thoroughly to work in the production of their scheme. To the Commission also from time to time belonged representatives of the Board of Treasury under the Governments of Lord Palmerston, Lord Russell, Lord Derby, and Mr. Disraeli. My right hon. Friend now the First Lord of the Admiralty was not merely a nominal, but a working member of it. The things which have been said by the right hon. Gentleman below me, that right hon. Gentleman (the First Lord of the Admiralty) therefore knows best of all men how to answer. He can give the best account of the wicked and prodigal expenditure, and the idle extension of site which the Commission have recommended. Over the proceedings of the Commission the members of the Board of Treasury exercised a jealous supervision. Is it true, then, that the Commissioners went beyond their province and spent a single farthing of public money which they were not authorized to spend? It is not the fact. They never committed the Government nor this House to the expenditure of a single farthing, or to the purchase of a single acre of land without the concurrence of the Treasury, or beyond that which by law they were empowered to do. The subject was discussed in this House on the 22nd of February, 1867. I then said that the Commissioners were of opinion that it would be of advantage to have additional land, because the work would by that means be likely to be made more perfect. The Commissioners did not change their minds as to the practicability of erecting the Courts for the sum named, but they believed that, if the opportunity of purchasing additional land before the erection of the building were lost, the land would acquire increased value, and if it were found afterwards to be desirable to secure it, the public would have to pay higher for it. The execution of the work, however, did not at all necessarily depend upon that land being taken, and no part of it could be taken, or was proposed to be taken, without a new Act of Parliament. It was for the Treasury and for Parliament to decide upon that point. If the Treasury came to the decision that they would not take more land, at an increased cost, it was always possible for them to have the Courts well erected on the site which had been purchased for the purpose; in fact, to do more than can be done on what is called the Howard Street site. Nothing, therefore, can be more unreasonable than to assign the reasons which have been assigned for throwing over the original scheme of the Commissioners, as if the increased expenditure complained of were necessary in order to carry out that scheme. You have seven and a-half acres, which would give six acres for the building, and with the extra acre and a-half, a sufficiently broad street, east and west, leaving no inconsiderable portion of surplus land available for extra purposes. All this could be done on your present site. And recollect that it took four years to clear that site, that a large labouring population has been unhoused by that clearing, and that it involved an expense of £880,000, the annual interest of which, at 5 per cent, is nearly £45,000. The work would be proceeding, but all this, it seems, is to be turned overboard to please my right hon. Friend below me. It is, I may add, totally incorrect to say that the Carey Street site need cost £3,000,000. That was an estimate made entirely on the supposition that the Government would choose to buy the six additional acres of land, and it is quite clear that what they need not spend

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in erecting a building on one site they need not spend on another. It has been thrown in our teeth that the site cost more than the original estimate; the estimate being £750,000, and the actual cost, according to the Government, being £880,000. But who was it, let me ask, who made the estimate? Why the very same person who has made the estimate of the value of the land on the Howard Street site—a gentleman on whose integrity and ability I agree the utmost reliance is to be placed; but it is, of course, quite obvious that there may be a margin in the one case as well as in the other. I am now about to refer to what I am sure my right hon. Friend the Chancellor of the Exchequer will feel much indebted to me for mentioning. It is a matter with which he could not possibly have been acquainted when he on a former occasion addressed the House on this subject. He then stated, in a manner which produced an evident effect on the House, that an account had been sent in from the firm of Field and Roscoe —Mr. Field being a gentleman who I believe, entirely on public grounds, takes a great interest in this subject, and whose firm have been employed as solicitors in connection with it—for £27,832 in the shape of a bill of costs. Those who put these figures into the hands of the right hon. Gentleman forgot to inform him that the amount comprised an actual payment out of pocket of £23,881, and that the costs of these gentlemen as distinguished from the payments made by them out of pocket were, for conducting the whole of this very large business for over a period of three years and-a-half, only £3,951. The right hon. Gentleman, moreover, did not state that of the sum which the firm were out of pocket, £8,925 was for expenses of Government surveyors other than those employed by Mr. Pownall, and that large sums were paid for abitrators, juries, counsels' fees, and disbursements of other descriptions. I do not think my right hon. Friend will find that he can avoid having a similar bill to pay over again. And now let me say a few words on the new scheme. My right hon. Friend the Chancellor of the Exchequer said that it was most absurd first to clear the north side of the Strand and then the south side; but that is exactly what they are going to do. With regard to space, you are going to take six acres only, without making the smallest allowance for any approaches east or west; because in order to get six acres for the building, as we do on the Carey Street site, with good approaches on each side, it will be necessary on the Embankment site to carry it on to the Temple on one side and to King's College on the other. [Mr. LAYARD: No! no! no!] I say, yes! yes! yes! [Mr. LAYARD: I say that Essex Street will be transformed into a street 60 feet wide.] You will have to take more land than you mention, or else to take some from the site. Then you advance your building in an irregular line to the very edge of the railway cutting, bringing it forward in front of the Temple Gardens considerably, although not, according to my right hon. Friend (the Chief Commissioner of Works), in front of Somerset House. The levels will be much worse than those on the Carey Street site. I have said something about the approaches on the east and west of the Embankment. It is suggested that the public at large may come to the Embankment by the railway; but certainly the lawyers will not come that way, because they, most of them, will have to come from the north. My right hon. Friend accordingly admits that he must make approaches from the north; but in the Carey Street site the northern approaches are alone necessary. It is very well to talk about approaches east and west which will be great metropolitan improvements, but if they are to be made simply as great metropolitan improvements they are not necessary for this scheme. If you take the Carey Street site it would be desirable to make a good approach from the Turnstile in Holborn; but that, and much more than that, will be equally necessary under the new scheme, because you must also have a good approach to the new Courts, if they are placed on the river side, through the Carey Street site. Then the portion of the Strand in front of the new site is the very narrowest portion of that thoroughfare—namely, the narrow place where Holywell Street comes in bethe churches of St. Clement Danes and St. Mary's in the Strand. We now understand that it is on the western part of this site, forsooth, the part furthest from Lincoln's Inn, that the Courts of Justice are to be placed, and it is this very part which must be approached from the narrowest part of the Strand. Now, can any one believe that you will not have to widen that street? And even after that has been done everybody who looks at the plan will see how much more convenient the central would be for those engaged in the business of the law than this site, so much further to the south. We were told on a former night that somebody had run down there in three minutes. On Saturday last, in company with three other Gentlemen, one of whom is now present, I took an opportunity of making the experiment myself. Two of us had our watches out, and in order to make the observation in the fairest way we went straight across the cleared Carey Street site in a way much shorter than it would be possible to go hereafter, and it took us six minutes, walking fairly, to get from Lincoln's Inn gate to the nearest point on the Embankment site. Well, then, six minutes there and six minutes back is the least time which would be occupied in fetching to the Courts from his chambers any gentleman carrying on business in Lincoln's Inn, and this is just time enough to make him run such serious risk that he would often rather dance attendance all day in the new Courts. This would be a real inconvenience to the profession, or, in other words, to the persons whose business the lawyers transact. Then how in the world are the barristers on the north of the Strand, and Gray's Inn and Lincoln's Inn, to come backwards and forwards? Are they, with or without their wigs and gowns, in all sorts of weather, to be constantly going to the Courts which are to be at the west side of this site, close to King's College? Can any one conceive anything more utterly inconvenient than that? We were told something about the blocking of the Strand which would be necessary while the Carey Street buildings were going on; but there will be double blocking if you sell the Carey Street site to jobbers. And now let us consider what will be the architectural effect of the new site. You are going to erect this beautiful building, in this fine Palladian or ecclesiastical style of architecture, in what I may be allowed to term a "hole." People sailing up the river and crossing the bridges will have much delight in seeing it, and I suppose my right hon. Friend who represents Southwark (the Chief Commissioner of Public Works) will be frequently there to admire it; but the general public will not have the pleasure of seeing the building they have paid for. It will be no decoration to the metropolis at all, and it will not be seen from the Strand, whereas the Carey Street site is a truly magnificent one. I have never myself argued this question on architectural grounds, but simply on the ground of public convenience. Still, if architectural reasons are to be taken into consideration, I say that in Carey Street you may have, on an elevated site visible from the Strand, a splendid building which will be a real decoration for the metropolis. But this thing you are going to put down into a hole. It may be a fine specimen of architecture, but it will not be visible from any other place. In 1865 I was put forward by the Government to speak of the estimate which had been then carefully framed, and most of the Government of that day, I may remark, now sit on the Treasury Bench. Some passages from the speech I then made were quoted against me the other night by the present Chancellor of the Exchequer, who was also, I think, a Member of that Government. [The CHANCELLOR of the EXCHEQUER: No.] I beg his pardon; accidentally and unfortunately, he was not. Well, when I was put forward, I said in the innocence of my mind that I was quite satisfied that the estimates were carefully prepared, and that I was sure the House might rely on them. I did not say, however, that they might rely on me as being a perfectly competent person, who was quite capable of checking the estimates. At the same time, I sincerely believed that those who gave me the instructions were perfectly competent to do that, and that they had the same mind and will to do it as my right hon. Friend himself. My experience, therefore, does not convince me that the present estimate of the cost of the Howard Street site, and the buildings on it, and the approaches to it, will not be exceeded, although my right hon. Friend seems to think we ought all to be satisfied with his assurance that he would take care of that. I should like to see an account of the money that has been laid out upon the Foreign Office, the India Office, and Burlington Gardens. The taste for expenditure grows as the work goes on; and we have had some indication of it to-night. My right hon. Friend seemed to be like Trinculo, and to have two voices, for in one part of his speech there was a word for the friends of Sir Charles Trevelyan, and in another there was a word for the friends of economy; and the friends of Sir Charles Trevelyan were comforted with the idea that sooner or later the whole of their plan might be adopted, not in their day, not in my Friend's day, and not under his jealous supervision, not till the public taste came to see it would not do to keep this fine building at the bottom of a hole, but that it would be highly desirable to have it where it could be seen. The House may depend upon it—though it is a sin for the Commission to have enlarged its ideas, and to have recommended greater expenditure—although not one farthing of public money has been spent nor one acre of ground purchased which was not authorized—it will be just as possible, without any breach of faith on the part of those who can influence Government if they do not constitute it, when you have once abandoned the old plan and started a new one, to find out how preposterous it will be to do this and that how great an opportunity of decorating London will be lost, how inadequate will be the Courts and the offices, how much more desirable it will be to bring some things together which have not been brought together, and so there will be at least as great a probability of increased expenditure under the new scheme as there ever was under the old one. Nothing is more simple than for the Government to say under the new scheme there shall be none; and so it may be with the old scheme. I never liked these very enlarged views, and, as far as my influence as a Commissioner went, I was always rather for telling them I had a little fear that their enemies might take advantage of them, and make that use of them which has now been made. You may depend upon it, what occurred in good faith and with a view to the public interests in that case is just as likely to occur in any other, and is most certain in this in which you are launching a scheme that has not one advantageous feature, that has less convenience, less architectural beauty, that blocks up the Strand more than it was blocked up before, that wastes time, that wastes money, that gives you no guarantee whatever for getting what you want in the way you want it and at the time you want it. I think we may judge of the other arguments of my right hon. Friend by what he said of the opinions of the solicitors and barristers. With regard to the Judges, I know for certain they are not unanimous in favour of the Embankment site. I have not presumed to canvass them; and all that we can infer from what my right hon. Friend has said is that some of the Judges of the Court of Exchequer, over which Chief Baron Kelly presides, are in favour of the Embankment site. It is said the two Societies of the Temple are in favour of it; that is to say, some bodies in the Temple are; but I know a great many in the Temple who are against it, because I presented a Petition, numerously signed by Templars and others, against it; and if the societies are in favour of it, it is not very difficult to understand why, seeing that the adoption of that site might increase the value of their property. I believe there is in substance no difference of opinion in Lincoln's Inn on the subject, although of course you may find an eccentric man here and there; the universal opinion is that the Embankment site will greatly prejudice all who have business to transact. The members do not petition, because they do not make a corporate business of that which is not for the pecuniary interests of the Inn, which would have been better promoted by keeping things as they are. With regard to the solicitors I should like to know on what ground my right hon. Friend speaks of them as he does. The two organized bodies representing the metropolitan and provincial solicitors are against it, and they tell me that the whole profession is as nearly unanimous against it as it is possible for any such body to be. Most assuredly nothing which I can possibly do shall be wanting to prevent this measure from being carried.

THE CHANCELLOR OF THE EXCHEQUER: Sir, as my hon. and learned Friend (Sir Roundell Palmer) is kind enough to allow us to bring in the Bill, I will not enter upon the various topics which, in the whirlwind of his eloquence he has commented upon, but will reserve myself until the second reading. For myself, I am cool and calm; and I hope whatever the House does it will do that which is best for the public interest, and, at any rate, will not go to the enormous expenditure which I found contemplated when I came into Office. My hon. and learned Friend has dealt rather hardly with us. He has accused me of raising false issues, and of being uncandid, unjust, and unfair. I must, therefore, re-state to the House what I stated before—that the fault has not been so much in the original estimate that was made, as it has been that after it had been made, and after the certificate was granted in accordance with it, and an Act was passed on the faith of it, matters were not allowed to remain so, but, in accordance with a wish of the Commission, of which my hon. and learned Friend was a Member, another Act was introduced in the succeeding year, 1866, which, as far as I can trace in *Hansard*, never was discussed at all. That Act undid all that was done before, and gave the Commissioners unlimited powers for spending money for a purpose for which the House, after much deliberation the year before, had granted only limited powers. By the original Resolution the expenditure was not to exceed £1,500,000. That is the real state of the case. It is true, that when I called attention to Messrs. Field and Roscoe's bill, I did it without stating the details; and I said—and I repeat it—that it was a grave error in the Commissioners, having appointed Mr. Field their secretary, to appoint a firm, of which he was a member, their solicitors. I am not aware of any recommendation of the Commissioners to complete anything except the building planned by Mr. Street, involving an outlay of £3,250,000; and when I came into Office I found that extraordinary powers had been obtained, and the Commissioners proceeded, as they lawfully might, to act upon them. If there was any other recommendation, my hon. and learned Friend will, on the second reading, have an opportunity of pointing it out. If there was not, then he must retract a little of the indignation he has expressed. The matter does not end there; my hon. and learned Friend says he never approved the extravagant expenditure. But, on the Motion of the hon. Member for Galway (Mr. Gregory) he moved an Amendment that the House should proceed at once with the Carey Street site, and spend all that might be necessary for the purpose. He may shelter himself behind the expression—"as much as was necessary"; but we must take this with reference to the then state of things. It is too much to turn round upon me and say I was unfair, and that I raised false issues, because I took the things as they were given me. Dealing with it as I found it, I say it is a large and extravagant expenditure, and I should not be doing my duty if I assented to it. I do not pretend to any judgment or taste in these matters, and, therefore, I can argue them with good temper. All I want is to save the public from an unjustifiable expenditure, and if the House will only accomplish that I shall be satisfied. If the House thinks the Carey Street site better than the Embankment, by all means let the Courts be erected on the Carey Street site, though I prefer the other site. If the House will allow me to save the £2,500,000 I shall be satisfied; and I hope the House will do me the justice to say that I am actuated simply by a desire to do my duty.

LORD JOHN MANNERS said, the right hon. Gentleman was unjust to the Commissioners in saying that they passed the Bill in 1866. It was the Government, and the right hon. Gentlemen opposite were the Government.

THE CHANCELLOR OF THE EXCHEQUER said, he begged the noble Lord's pardon; the noble Lord himself formed part of the Government in August, 1866.

LORD JOHN MANNERS said, that was when the Bill passed the House of Lords. They all knew that Earl Russell was First Minister of the Crown, with the present First Minister for his Chancellor of the Exchequer, when the Bill was framed and introduced, and when the solicitors to the Commissioners were appointed with the consent of the Government. With regard to the main issue, he had two remarks to make. If the new scheme was carried out, the Government would become land jobbers on the most gigantic scale; the Carey Street site was to be sold in dribblets, and, until it was got rid of, it would remain a disgrace to Parliament and every one connected with it. In the second place, the right hon. Gentleman had pledged himself—as no Chancellor of the Exchequer had ever pledged himself before, or ever would again—that the building on the Embankment should not cost more than £1,000,000. If so, the right hon. Gentleman could with much more certainty pledge himself that the

The Chancellor of the Exchequer

building on the Carey Street site should not cost more than £750,000, for the simple reason that the foundations on the Embankment would cost more than those on the Carey Street site. It was, therefore, clear, that the Carey Street site, since it was now in the possession of the country, would be the cheapest. On the second reading he would cordially support his hon. and learned Friend (Sir Roundell Palmer).

MR. GOLDNEY said, that in introducing this Bill, the Government were departing, not only from principle, but from fact. The original object in view in erecting new Courts of Justice was the bringing together of all the Courts in the neighbourhood of those who practised in them. He hoped before the second reading that the proceedings of the Commissioners would be printed, because it would then be seen that every one of their acts was submitted to the Treasury before it was carried out. On what ground was the Carey Street site taken, except that it was deemed absolutely necessary for the public advantage to obtain it? If the Government sanctioned a departure from a plan so sanctioned, what confidence could be placed in any arrangement made by them? He hoped the plan before the House would be rejected by a large majority.

MR. TITE said, he intended to reserve his opinion on the new proposal until he had seen the plans, but he would remark that the Commissioners had brought all these counter proposals upon themselves. But now that it had been resolved to reduce the buildings to moderate dimensions, and the expenditure, consequently, to a moderate sum, it did not appear to him to be necessary to spend more on the Carey Street site than on the Embankment. To this extent, at least, the public had gained by the discussion which had been raised.

SIR GEORGE JENKINSON said, he wished to know when correct plans would be furnished to Members?

MR. LAYARD said, that they were being pressed forward, and would be in the hands of Members before the second reading. The plan the hon. Baronet held in his hand had been issued by the Council of the Incorporated Law Society, with a view to discredit his scheme, and was in no single instance to be relied on.

Motion *agreed to.*

Bill to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire a New Site for the erection and concentration of the Courts of Justice, and of various Offices belonging to the same, and to amend the Acts relating to the concentration of the Courts of Justice, *ordered* to be brought in by Mr. LAYARD, Mr. CHANCELLOR of the EXCHEQUER, and Mr. AYRTON.

Bill *presented*, and read the first time. [Bill 113.]

PIER AND HARBOUR ORDERS CONFIRMATION BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for confirming certain Provisional Orders made by the Board of Trade, under "The General Pier and Harbour Act, 1861," relating to Cliftonville, Gillingham, Ilfracombe, Rosslare, and Saint Just.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. LEFEVRE and Mr. JOHN BRIGHT.

Bill *presented*, and read the first time. [Bill 114.]

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Tuesday, 11th May, 1869.

MINUTES.] — *Sat First in Parliament*—The Lord Wynford, after the death of his Father.

PUBLIC BILLS—*First Reading*—Stannaries* (98).

Second Reading — Aggravated Assaults Amendment (66), *negatived*.

Third Reading—Sea Birds Preservation* (92).

Withdrawn—Lodgers' Property Protection (65).

REPRESENTATIVE PEERS FOR SCOTLAND.—DOUBLE RETURN.

Petition of the Right Honourable Walter Coningsby Earl of Kellie, claiming also to be Earl of Mar; and also the Petition of the Right Honourable John Francis Erskine Goodeve Erskine Earl of Mar, Baron Garioch, presented on the 7th instant: Committee for Privileges on, met; the Attorney General and the Lord Advocate being present (according to Order); counsel heard; and Committee resolved, That the petitioner the Earl of Kellie having by his counsel prayed leave to withdraw his petition, the Committee do not think it expedient to investigate the double return under the certificate of the Lord Clerk Register with a view to its amendment; and report thereof to be made to the House.

THE DUKE OF BUCCLEUCH desired to call attention to the fact that there was a double return in the number of Scotch Peers returned to Parliament at the last election. Now, though it might be true that two Peers had each an equal number of votes it did not follow that there was a double return. But, as the Committee of Privileges had decided that they could not enter this question of a double return, he wished to call the attention of Her Majesty's Government to the question, to consider whether it was possible to advise Her Majesty to issue a proclamation under the Great Seal for filling up the vacancy which practically now existed.

THE LORD CHANCELLOR said, all he could state on the present occasion was that Her Majesty's Government would take the matter into consideration. Under the statute there seemed to be some doubt whether they could issue such a Proclamation; and, of course, that doubt must be cleared up before they could decide.

Report read, and *agreed to;* and to be *printed.* (No. 99.)

LODGERS' PROPERTY PROTECTION BILL—(No. 65.)—SECOND READING.

(*The Marquess Townshend.*)

Order of the Day for the Second Reading, read.

THE MARQUESS TOWNSHEND, in moving that the Bill be now read the second time, said, its object was to protect lodgers from the seizure of their property in case of default in payment of rent by the tenant. The equitable rights of the landlord would be placed in no jeopardy by the operation of the Bill. If the landlord was careless enough to let his property to bad tenants, he had no claim to consideration, and was not entitled to shift the burden on to the shoulders of the innocent lodger. The proper security for a landlord was the solvency and respectability of his tenant; and if he did not exercise sufficient caution on this head, he ought not to make the lodger suffer for circumstances entirely beyond his control. It was true that the lodger and the superior landlord could enter into an agreement; but the latter had no inducement to take this course; and the lodger was not always able to ascertain who the superior landlord was. A tenant was now able to send part of his goods to a place of security, knowing that the landlord would come upon the lodger's effects to make up the deficiency, and the applications which were constantly made at the police courts on this subject proved how harshly the law operated. Provision was made in the Bill to prevent possible collusion between the tenant and his lodger to defraud the landlord of his rights in respect to the tenant's furniture, by requiring the lodger to satisfy a justice of the peace for an order to protect his property against distraint by the superior landlord; and the justice, on being satisfied that the goods were the goods of the lodger, was to give a protection order, which was to be registered with the registrar of the County Court.

Moved, "That the Bill be now read 2ª."—(*The Marquess Townshend.*)

THE LORD CHANCELLOR said, he had no doubt of the noble Marquess' benevolent intentions towards persons who suffered great inconvenience from a seizure of their furniture for rent due to the superior landlord. A right, however, which had been vested in the landlord from the remotest times as a security for his rent ought not to be lightly interfered with. But the Bill afforded no security against the grossest frauds being practised on the landlord. It proposed that the lodger might obtain a certificate from a magistrate that the property belonged to him, and that on this certificate being registered the property should be protected from the superior landlord. A compact would obviously be made in many cases between the lodger and his immediate landlord, who of course did not wish his goods to be seized, by which the furniture of the latter would be represented as the property of the lodger; and thus the security held by the superior landlord would be altogether defeated. It might or might not be that the Law of Distress sometimes pressed heavily on lodgers; but the remedy for this would be a remodelling or abolition of the power of distress, and the House could not be reasonably asked to assent to this Bill.

An Amendment *moved* to leave out ("now") and insert ("this day three months").

After a few words from the Marquess TOWNSHEND,

Amendment, together with the original Motion, and the Bill (by Leave of the House) *withdrawn.*

The Marquess Townshend

AGGRAVATED ASSAULTS AMENDMENT BILL—(No. 66.)—SECOND READING.

(*The Marquess Townshend.*)

Order of the Day for the Second Reading, read.

THE MARQUESS TOWNSHEND moved that this Bill be now read the second time, describing its object to be to give power to two justices of the peace in petty sessions, or a police magistrate, to punish in a summary way persons convicted of assaults on females and children under fourteen years, occasioning actual bodily harm; and, under certain circumstances, to add to imprisonment the punishment of flogging. On one occasion he obtained the second reading of a similar measure in the House of Commons, though it failed to pass the further stages, and the Returns of the convictions which occurred under the present Act showed the necessity of a more stringent punishment. The punishment of the lash had been successfully applied to garotters, and these brutal offenders were even more deserving of it.

Moved, "That the Bill be now read 2ª."—(*The Marquess Townshend.*)

THE EARL OF MORLEY said, that while sympathizing with the noble Marquess's object, he did not believe the Bill would promote that object. The Preamble recited that the present law had been found inefficient for the protection of women and children; but he learnt from Sir Thomas Henry—than whom there could be no higher authority—that it was working satisfactorily, the number of offences against which it provided having materially diminished. In St. Giles's, and other poor districts of the metropolis, it was a common thing for a wife who was being beaten by her husband to bid him take care what he was doing, or he would get a "sixer," meaning six months' imprisonment; and this warning had a considerable effect. The Bill would require the testimony of two competent witnesses in case the aggrieved person was not examined, and this alone would render the measure inoperative, for in districts inhabited to a great extent by notorious criminals, where these offences were chiefly committed, it was difficult to get competent witnesses. He saw no reason why Fitzroy's Act of 1853 should be altered in this respect, nor why the evidence of a single constable should not suffice. He objected also to authority being given to a magistrate, on summary conviction, to sentence offenders to flogging; for such sentences required great care and discretion, and the natural indignation of a magistrate might induce him to impose such a punishment—which at present he could only do in the case of juvenile offenders—without sufficient consideration. Such a punishment, moreover, would excite vindictive feelings on the part of a husband towards his wife; for whereas, in case of imprisonment, he might often be released on her petition—in which case there was ground for hoping that better feelings would influence him—she could never unflog him. On obtaining his liberty he would be likely, therefore, to abandon her altogether. Moreover, the reluctance to prosecute which at present existed would be much increased. The Bill, again, would allow an appeal. Now this would be seldom resorted to, and no sufficient reason had been shown for altering the Act of 1853. He moved that the Bill be read a second time this day three months.

An Amendment moved to leave out ("now") and insert ("this day six months.")—(*The Earl of Morley.*)

THE MARQUESS TOWNSHEND, in reply, admitted that the Act of 1853 was a great improvement, but contended that for extreme cases the maximum punishment of six months' hard labour was insufficient. The number of these offences, in comparison with other countries, was a disgrace to England. The power of appeal would be a protection against hasty sentences; and as to the desertion of the wives, they would be better off if they did not see their husbands again. The requirement of two witnesses was an inadvertence which he should be willing to remedy, as he did not wish to deviate from the present Act on this point. He could not consent to withdraw the Bill.

EARL DE GREY AND RIPON hoped the noble Marquess would not press for a division, since the House could not pass the second reading in the face of Sir Thomas Henry's testimony to the efficiency of the present law.

On Question, That ("now") stand part of the Motion? *Resolved* in the *negative;* and Bill to be read 2ª on *this day six months.*

NORTH BRITISH RAILWAY—SUDDEN OR ACCIDENTAL DEATHS (SCOTLAND).

MOTION FOR A PAPER.

LORD KINNAIRD wished to bring under the notice of the Government the state of the law in Scotland with respect to inquiry into cases of sudden or accidental death. In England coroners' inquests were held under such circumstances, but he was not prepared to say that that mode of inquiry was altogether satisfactory; indeed, in many districts in England it was very unsatisfactory; and it was within his own knowlege, as a member of the Mines Commission, that in many of the mining districts the jury consisted of mining agents, or, as they were termed, "mine captains," whose policy was to bring in no verdict contrary to the interests of the mine-owners, and during the time that he sat on the Commission, though the accidents were fearfully numerous, the verdict was uniformly "accidental death." Nor was this surprising, when not only the jury but frequently the coroner also was interested in mines. The accidents from the bursting of boilers were very frequent, there being in many cases no steam guage, and the boilers being worked till they became so thin that he had seen them almost palpitating under the pressure of the steam. In one case in which two deaths occurred, the boiler was third-hand, having been worked in two mines, and having then been purchased by another set of mine-owners, though well known to be dangerous. Notwithstanding the strong evidence of the imperfect state of the boiler, and of the men having expected an accident, a verdict of "accidental death" was returned. While doubting, for these reasons, whether the principle of coroners' inquests should be applied to Scotland, he thought it important that there should be some public inquiry. At present no inquiry was made into cases of sudden death, or death from accident, unless it was brought under the notice of the public prosecutor, or Procurator Fiscal, whose duty it then was to make inquiry. It thus depended on the vigilance of the police, or on the chance of his hearing of the accident, whether an inquiry was instituted, and numerous deaths occurred of which no notice was taken. An accident which occurred on the 6th of November last, on the North British Railway, had appeared to him to present an opportunity of drawing attention to the subject—more especially as an inquiry was now going on with regard to the Scotch system of judicature. In this case there had been an investigation by the Railway Department of the Board of Trade, and doubtless also by the Procurator Fiscal. St. Boswell's was a station where seventeen trains ran daily each way; and Mr. Lisle, a tradesman, who was on a journey for the purpose of visiting his daughter, from want of proper accommodation, had to cross the line in order to change carriages. While so doing a train threw him down and so seriously injured him that, while being carried away, he expired. The station-master, six of the company's servants, and several passengers were on the platform at the time, but it could not be ascertained that any of them saw him crossing the line—and, indeed, it never happened that railway officials, when inquiry was made, had seen anything. The report added that the accommodation at the station was inadequate to the traffic carried on upon the railway. What had been the result? The railway company had done nothing, although the state of things at this station was notoriously bad; and the Board of Trade had no power to enforce any order, or to compel the company to improve the station. The noble Lord concluded by moving for a Report of proceedings taken by the legal authorities of the district of St. Boswell's, N.B., with reference to the death of Mr. Lisle, who was killed on the North British Railway on the night of the 6th of November, 1868.

THE EARL OF MORLEY said, there would be no objection to furnish the Report for which the noble Lord just moved. The accident occurred on the 6th of November, and next day information in the usual form was sent to the Board of Trade, and ten days afterwards the Crown Counsel at Edinburgh instructed the Procurator Fiscal that it was not a case in which criminal proceedings should be instituted, but directing him to communicate to the company that there was a want of proper accommodation at the station. On the 26th of December the Board of Trade applied for the evidence taken before the Procurator Fiscal; so that no delay had occurred in the matter. The inquiry was found to have been conducted in the most excellent manner, and the decision was clearly a correct one. Under these circumstances, the case rather tended in favour of the Scotch system, which might, he thought, compare favourably with the inquiries conducted in England under similar circumstances. There was no power to compel the railway company to provide proper accommodation; but, if they neglected to do so after the warning given by the Procurator Fiscal, it might be of serious consequence to the company if any future accident occurred. He had been told on the best authority that there was scarcely an authenticated instance of any sudden death in Scotland occurring that was not inquired into, or of any abuse arising through the inquiry being conducted in secret. If they referred to the returns of the proportion of persons convicted to the whole number tried, it would be found that in Scotland, in the year 1867, the proportion was 89 per cent, while in England it was only 74 per cent. The onus of showing that the Scotch system did not work well was thus rather upon those who wished to alter it than upon those whose duty it was to defend it.

THE EARL OF DALHOUSIE held that something was to be said in favour of the Scotch system, though probably it admitted of improvement. It was the duty of the Procurator Fiscal to take cognizance of all deaths from accident and sudden deaths, if they came to his knowledge; but it was well known that many cases of sudden death and death from accident occurred which ought to be inquired into, but which never came to the knowledge of the Procurator Fiscal. That system was upon the whole a very good one, but it might be very much improved if a law were passed to make it compulsory on parties, upon the occurrence of any fatal accident, to report to the Procurator Fiscal, so that he might inquire into the cause. If that were done no accident could occur without due inquiry, and at the same time the inquiry would be made without injury to the feelings of the parties concerned. He hoped that the Lord Advocate would call the attention of the Law Commission to the subject. If there were some compulsory means of bringing these matters to the knowledge of the Procurator Fiscal that was all that was required to amend the law of Scotland on this subject.

THE DUKE OF MONTROSE said, he did not think it would answer to make it penal to give notice to the Procurator Fiscal.

THE EARL OF DALHOUSIE: I did not say penal, but compulsory.

THE DUKE OF MONTROSE: He did not see that there was much difference between the two. In England the coroner got fees for holding the inquest, while the Procurator Fiscal had not the same inducement. The result was, that in England inquiries were instituted which, if due regard had been had to the feelings of the survivors, might very well be spared. The law in Scotland depended very much upon the Procurator Fiscal. In cases where he was a very active man few or no cases escaped inquiry; but where he was old or negligent, he was tempted to abstain from making inquiries from which he derived no pecuniary benefit.

THE EARL OF MINTO said, he was glad his noble Friend (Lord Kinnaird) had brought this matter under their Lordships' notice. The first steps of criminal proceedings in Scotland were taken entirely in secret, and his firm conviction was, if the matter were thoroughly investigated, great advantage would be found in the system of publicity. There would be much less chance of abuse if these proceedings took place before the eyes of the public. Some evidence was taken on this subject incidentally last year by a Committee of which he was a Member; but, as it was felt they were getting rather beyond the fair scope of their inquiry, it was not thought proper to pursue the investigation. The chief constable of the county of Ayr, among others, was examined, and stated that he considered great public benefit was missed by not having inquiries into cases of sudden death. These cases were not overlooked—they were carefully inquired into—but the public knew nothing of the facts. It was quite possible to have a good system of public prosecution—which was most valuable in Scotland—and at the same time to give publicity to the earlier proceedings. Mr. Jamieson, a practitioner in the Sheriff's Court, Elgin, thought the system of private precognitions should be altered, and that all inquiries should be made before the magistrates sitting in open court. The sheriff of Aberdeen, who, in some respects, was in favour of the present system of private precognition, thought that in cases of sudden death publicity was most desirable. They might have all the benefit of coroners' inquests without their abuses. The principle of having public prosecutors in Scotland was most admirable; but the office of Procurator Fiscal was one not only of importance, but great delicacy; it was, therefore, to be regretted that, with the exception of Edinburgh, Glasgow, Dundee, and four other places in Scotland, these officers were allowed to accept private agencies and acted as legal advisers in their capacity as lawyers. He had been told of a case in which an assault had been committed with a deadly weapon: the public prosecutor happened to be the private law agent of the offender; nothing more was heard of the case. Of course the comments of the public were uncomplimentary. In another case a horse was stolen; an action was raised for delivery of the horse or payment of the price. The public prosecutor entered an appearance for the horse stealer and defended him. These facts showed that there were ample grounds for inquiry into the whole of this subject.

LORD COLONSAY thought the suggestions which had been thrown out by his noble Friend were valuable; but the office of public prosecutor in Scotland, as an institution for investigating and discovering crime, for the prevention of crime and the preservation of the peace, was a most valuable one. It was a very grave question whether any material interference could be made with the existing system without producing unsatisfactory results. The whole system hung together, and it was a system generally approved, practically useful, and which had long existed; no part of Her Majesty's dominions could boast of more successful means for the detection and prevention of crime. It was a very serious thing indeed, therefore, to open this large question or do anything that would tend to throw discredit on such a system. At the same time he was not going to defend abuses. If there really was an unworthy officer who did not execute his duties properly there were the means of dealing with him. That was no objection to the system; it was an individual case which might happen under any system. If the whole investigation into crime with a view to its discovery or prevention, and to the preservation of the peace, were made public that would be uprooting a beneficial part of the present system, and might often frustrate the ends of justice. A system prevailed in England different from that in Scotland, and they had heard from the noble Earl (the Earl of Morley) the practical results. With regard to the particular case of the railway accident in question, no benefit could have been derived from a public inquiry. The investigation had been complete, and machinery was immediately set in motion to have such improvements made in the railway station as would prevent such accidents in future. As to whether this matter was within the range of the Commission which had been referred to, he should say, speaking for himself alone, that an inquiry into the whole system of public prosecutor in Scotland was not within the scope of the Commission. If the duty of inquiring into and reporting on that system was intended to be devolved on any Commission, it would certainly have been expressed and not left to inference. But some matters connected with the system did come incidentally before the Commission, and evidence in regard to these matters had been taken and would accompany the Report.

Lord KINNAIRD agreed with the noble and learned Lord as to the advantage of the system of public prosecutor in Scotland; but in it, as in all other things, amendments might be made. For instance, the public prosecutor ought not to be allowed to continue private practice. It was represented as an advantage that the inquiry in this case had been immediate; but he did not believe that any individuals, except the officers of the Crown, were aware of the investigation. If it had been known that an inquiry was being made, the relatives might have been able to produce evidence with regard to the death of the man and to the state of the railway station.

The Earl of MORLEY said, the Board of Trade sought information on the subject but could get none.

Motion *agreed to.* (*Parl. P.* 118.)

House adjourned at Seven o'clock,
to Thursday next, a quarter
before Four o'clock.

HOUSE OF COMMONS,

Tuesday, 11th May, 1869.

MINUTES.] — Select Committees—Witnesses (House of Commons), *appointed;* Game Laws (Scotland), *debate adjourned.*

Supply — *considered in Committee—Resolutions* [May 10] *reported.*

Public Bills—*Resolution in Committee*—Diplomatic Salaries, &c.

Ordered—Insolvent Debtors' Court*.

Ordered — First Reading — County Financial Boards [119]; Poor Relief (Ireland) Act (1862) Amendment* [117]; Diplomatic Salaries, &c.* [118].

Second Reading — O'Sullivan's Disability [108], *put off;* Customs and Inland Revenue Duties [95].

Referred to Select Committee—Local Government Supplemental* [90].

Committee—Report—Beerhouses, &c.* [22-116].

Report—Endowed Schools* [3-115].

Third Reading—Recorders' Deputies* [107], and *passed.*

Withdrawn — Admiralty Jurisdiction (County (Courts)* [2].

The House met at Two of the clock.

ARMY—HOUSEHOLD CAVALRY.

QUESTION.

General FORESTER said, he would beg to ask the Secretary of State for War, What arrangement is contemplated for the purchase of the four Cornetcies of each Regiment of the Household Cavalry on the twelve Cornetcies of those Corps being absorbed?

Mr. CARDWELL said, that the Reserve Fund would, when it was in a state to do so, be called on to provide the means: and he might take the opportunity of stating that, by a new arrangement of the Estimate, it was intended to bring that Fund more directly under the control of the House.

REMOVAL OF MAYORS.—QUESTION.

Mr. EASTWICK said, he would beg to ask the Secretary of State for the Home Department, Whether he has any intention of bringing in a Bill to enable the Courts of Judicature to deal with Mayors who may be guilty of conduct that shall bring the administration of the Law into disrepute, or for facilitating the removal of Mayors, who may misconduct themselves, from office?

Mr. BRUCE: Sir, as at present advised, it is not the intention of the Government to propose any such Bill. It is obvious that the question is one which requires some consideration, and that legislation upon it ought not to be attempted under the influence of passing events.

ARMY—BRANDING DESERTERS.

QUESTION.

LORD GARLIES said, he would beg to ask the Secretary of State for War, If he will lay upon the Table of the House, the Correspondence between the War Office and the Horse Guards, which resulted in the Circular (now before the House) of the Horse Guards of 24th April, in reference to marking Deserters with the letter D; and, if any Officer confirming the sentences of Courts Martial has approved or confirmed any illegal sentence in regard to marking Deserters?

MR. CARDWELL: Sir, the Correspondence has not yet been brought to a close, and I am not prepared to say that I shall lay it before the House. The House is already aware that a Circular has been issued from the Horse Guards prohibiting the marking a second time. But I am not prepared to declare that any officer confirming the sentence of a court martial has been guilty of an illegal practice.

IRELAND—STATIONERY OFFICE.

QUESTION.

MR. BAGWELL said, he wished to ask the Secretary to the Treasury, If it is true that the Government Stationery Office in Merrion Street, Dublin, is about to be abolished?

MR. AYRTON said, in reply, that he could only state that no proposal for abolishing the Stationery Office in Dublin had been submitted for the consideration of Her Majesty's Government.

IRELAND—MEETING IN CORK.

QUESTION.

COLONEL FORDE said, he wished to ask the Chief Secretary for Ireland, If the report be true of a meeting having taken place in the City of Cork, at which banners and colours were displayed; and whether the opinion of the Irish Law Officers has been taken, or is intended to be taken, by the Government, as to how far this was a breach of the Party Processions Act?

MR. CHICHESTER FORTESCUE: No report, Sir, of the occurrence in question has yet reached me. But upon seeing the Question of the hon. and gallant Member I immediately called for a Report, and I expect to receive it in a day or two.

FIRE INSURANCE POLICIES.

QUESTION.

MR. H. B. SHERIDAN said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is intended by the Government Bill that those persons only who have renewed or effected Fire Insurance Policies since the announcement of the Budget for periods extending beyond Midsummer, at which time the Fire Duty is to cease, will be entitled to the rebate or drawback for the excess of Duty so paid?

THE CHANCELLOR OF THE EXCHEQUER: Sir, this Question depends on the 12th section of the Customs and Inland Revenue Act. That section provides for the case of persons who may effect any insurances against fire after the 12th of April, but is silent as to all persons making assurances before that date. They therefore would not be entitled to rebate.

QUEENSLAND—ALLEGED SLAVERY IN.

QUESTION.

SIR JOHN SIMEON said, he wished to ask the Under Secretary of State for the Colonies, Whether his attention has been drawn to a statement that the demand for labour in Queensland has induced the Colonial Legislature to pass an Act which has led to the procuring from the South Sea Islands kidnapped slaves for the use of the Queensland planters; and whether, he is aware that a public meeting has been held at Sydney for the purpose of protesting against atrocities alleged to have been perpetrated under the aforesaid Colonial Legislation?

MR. MONSELL said, he could assure the hon. Gentleman it was perfectly erroneous to state that the Act referred to was passed by the Legislature of Queensland for the purpose of procuring slaves from the South Sea Islands. Immigration from the Polynesian Islands had been going on for some time, but a statement having reached the

Colonial Office that abuses had grown up, the Duke of Buckingham, then Secretary of State for the Colonies, sent a despatch to the Governor of Queensland, directing him immediately to have an Act introduced for the purpose of controlling that immigration. The principal points of that Act were defined to be that none but well-found ships should be employed; the prohibition of recruiting, except under non-transferable license from the Government; the approval of contracts of labour by the Colonial Immigration Agent; the immigrants when arrived were to be supervised by the local magistracy; and no contract was to be made for more than five years and the immigrants were required, under stringent conditions, to be sent back to their own country after the expiration of five years. But while that despatch was on its way, the Legislature of Queensland had themselve taken the matter in hand, and passed an Act to the same effect, but even more stringent, and that Act was now in operation. It was one not in any way calculated to facilitate evil practices, but on the contrary to diminish them. Her Majesty's present Government, however, upon seeing an account of the meeting at Sydney referred to by his hon. Friend, issued the most stringent directions to the Governor to take care that the Home Government was not misled, and that full information respecting the immigration into Queensland was sent home to this country. Serious attention was called to the matter in order that Her Majesty's Government might be in a position to vindicate the character of the colony, or to take such steps as might be necessary to put a stop to the immigration if need be.

O'SULLIVAN'S DISABILITY BILL.

(*Mr. Attorney General for Ireland, Mr. Chichester Fortescue.*)

[BILL 108.] SECOND READING.

Orders for Second Reading, and for Counsel and Witnesses to attend, read.

THE ATTORNEY GENERAL FOR IRELAND (Mr. SULLIVAN) said, he had to inform the House that, acting under its Orders, he had taken care that evidence should be forthcoming in support of the Preamble of this Bill, and that witnesses were now in waiting in the House; and he had also, acting on the Order of the House, appointed counsel to be heard at the Bar. They were the Solicitor General for Ireland, Mr. Serjeant Ballantine, and Mr. Edward Barry. He had now to move that counsel be called in.

Motion made, and Question proposed, "That Counsel be now called in."—(*Mr. Attorney General for Ireland.*)

MR. MAGUIRE said, it was his intention to move a direct negative to the Motion of the right hon. and learned Gentleman; but, perhaps, it might simplify matters very much if the House would permit him to read a letter which he had received that day, and which he was authorized to read to the House. That letter was written by the gentleman against whom the Bill was proposed, and it was in these terms—

"London, May 11, 1869.

"My dear Mr. Maguire,

"Taking into consideration the peculiar circumstances of the moment, and the grave interests of Ireland involved in the great measure now before Parliament, I have resolved to place my resignation of the mayorality of the City of Cork in your hands and those of The O'Donoghue; and I do so by this letter.

"In accepting that office, my entire wish and desire was to act for the public good, and to protect, to the best of my power, the humbler classes of the community from what I could not help regarding as an arbitrary administration and violation of the law.

"But, having regard to my personal honour and consistency, I declare, in the most solemn and emphatic manner, that the language attributed to me did not in any way express or represent my real meaning; and, further, I solemnly declare that I would myself be the first person to rush to the protection of human life if I knew it to be endangered. I may also state that I look to the regeneration of my country through constitutional and remedial measures such as that now passing through the House of Commons, and my belief that the battle of my country is to be fought on the floor of that House.

"My only object in thus retiring is to put an end to a serious difficulty which in no way affects myself or my social position; for even if the Bill of Pains and Penalties pass into law, it can be no injury to me in the estimation of those whom I respect, and whose opinions I value. I do this solely for what I consider the interests of my country.

"Yours faithfully,

DANIEL O'SULLIVAN."

He only hoped that, after reading that letter, he might be allowed to carry out his intention of moving a negative to the Order, and of explaining, if necessary, the reason why he did so.

THE O'DONOGHUE said, that perhaps he might be allowed to state that

Mr. O'Sullivan had authorized him to say that he intended to write by that evening's post to the Town Clerk in Cork, placing his resignation in the hands of the Town Council; and he would also add that, from his own knowledge of Mr. O'Sullivan's character, anything he said he would do might be relied upon.

MR. GLADSTONE: Having listened to the letter which has been read by my hon. Friend the Member for Cork—of the contents and purport of which I was previously unaware—a fact which I mention only in case that in any minute particular I should have failed to gather its sense aright,—having listened also to the statement of the hon. Member who last addressed us, I think that, without reference to any particular terms or expressions in that letter, my duty is to state that, as I understand the matter—and, of course, I invite correction from either of the hon. Members in case I am inaccurate—Mr. O'Sullivan, the Mayor of Cork, has absolutely, although not technically, resigned. That I understand to be the case. [Mr. MAGUIRE and The O'DONOGHUE: Hear, hear!] As far as regards certain matters of form connected with his resignation, these, as I clearly gather, are still in the future. But we have a distinct guarantee in the character of my two hon. Friends that the resignation will be carried into effect, and I am bound to say that had we received a clear and authentic intimation to that effect from Mr. O'Sullivan himself, even unsupported by those unquestionable guarantees, we could not have regarded it with the slightest distrust. The situation in which the matter at present stands is this—We have now before us the unconditional resignation of the Mayor of Cork and as regards everything except the fulfilment of certain formalities, I think I should be speaking the truth if I were to say that Mr. O'Sullivan is Mayor of Cork no longer. Sir, if that be so—if I am correct in that assumption—I have to state that in the view of Her Majesty's Government it would not be desirable to prosecute the measure which we have introduced into the House—and which we are prepared to vindicate and, if necessary, to carry forward—against a gentleman who, by his own voluntary and unsolicited act, has divested himself of the office he held. I am perfectly aware that the letter which has been read by the hon. Member contains no pledge on the part of Mr. O'Sullivan with reference to any future contingencies. The terms of that letter and the engagements contracted by it would, if I understand it aright, be actually fulfilled by the act of resignation, and anything that might subsequently happen in the City of Cork would be a matter lying entirely outside that engagement. As what we have had in view has been the vindication of the authority of the law and of order, and not the mere punishment of an individual or the desire to bring the power of Parliament into conflict with the fortunes and character of an individual, on the one hand, as I have said, the Government do not think it right under the circumstances to carry forward this Bill against Mr. O'Sullivan; but, on the other hand, it would be necessary for them to keep within their own discretion the power of asking the House to proceed with the Bill, were it needful, against the future Mayor of Cork. The question arising upon the vacancy made by the resignation of Mr. O'Sullivan must, I apprehend, be decided within a very short time; but as to when that time may be neither myself nor my right hon. and learned Friend near me (the Attorney General for Ireland) have been exactly informed. Under these circumstances, as undoubtedly the re-election of Mr. O'Sullivan would place us, in the opinion of the Government, in precisely the same position in which we now stand, I think that the most becoming course, in justice to Mr. O'Sullivan, in justice to the dignity of this House, and as regards the duty of the Government, is that I should move that all further proceedings upon this Bill should be postponed for such a time as, according to the best estimate I can form, will probably be sufficient to dispose of the matter of the re-election. My hon. Friend the Member for Cork will observe that I make no complaint whatever of the engagement entered into, on the ground that it does not contemplate any future contingency. I do not think that is a matter on which I am bound to give any opinion, far less to express any blame, beyond this—that my hon. Friend will, I hope, distinctly understand the object the Government have in view. I do not know, Sir, whether I ought to move that the debate be adjourned, or that the proceedings be adjourned; but, perhaps, you will kindly inform me what the form of the Motion should be; but my intention is to move that the proceedings should be adjourned for four weeks from this day, within which period, as far as I can obtain information, the matter of the re-election will be settled; and I do this with the full hope that this day four weeks we may find ourselves in a condition to drop the Bill and these proceedings altogether—proceedings most painful, I can assure the House, to Her Majesty's Government; most painful to my right hon. and learned Friend near me as the chief Law Officer of the Crown in Ireland; most painful I believe, to Gentlemen on both sides of this House; but proceedings from which we could not shrink without violating the highest of all our duties—namely, the duty to maintain the peace and order of the country, the authority of the law, and the purity and efficacy of the administration of justice. Sir, I beg to move that the Motion be now withdrawn.

MR. NEWDEGATE: It will be in the recollection of the House that when this subject arose, before I ventured to point out that the proceedings which were contemplated by the Government against the Mayor of Cork, in the event of his contumacy, were objected to on the ground of this being exceptional legislation, absolutely personal, and also *ex-post facto*, I then urged upon the House that the proper remedy lies in an alteration of the general law. I did not utter that opinion lightly, and I hope the House will forgive me for having ventured such a suggestion when I state to them that, in 1861, this question arose in this House, when the Municipal Corporations Act was under discussion. I divided the House on that subject. Previous to 1861 the law of England was not assimilated to the law of Ireland with respect to the position of mayors; but in that year the Government brought in a Bill, and, contrary to a recent decision of the Court of Queen's Bench, and contrary to the express declaration of Lord John Russell in introducing the original Corporations Act, they passed a clause in this House giving the mayor precedence as a magistrate, and a right to the chairmanship of the bench of magistrates, thereby constituting him, not only a magistrate by Act of Parliament, which the original Act constituted him, but also constituting him chairman of the magistrates by Act of Parliament, having precedence and to become the organ of the municipal bench of magistrates, in every borough where there was not a stipendiary magistrate or a Recorder, and whenever that functionary might be absent. I directed the attention of the House at that time to this very great innovation on the principle of the original Municipal Corporations Act. The Government were, however, pleased to think that I was actuated by local feelings which had arisen in the case of the borough of Birmingham. Although I had then recently joined with the Members for Birmingham in carrying the Corporations Act for that very town, the House put me in a minority, although I took two divisions on this point. The Bill went to the House of Lords, where the matter was taken up by my noble Friend (Lord Chelmsford), supported by Lord Wensleydale, and that clause to which I objected in this House was, after full consideration, carried by a majority of 1 vote. Now, it is in this very particular that the difficulty has arisen with respect to the Mayor of Cork. Had he stood in the same position as other justices of the peace, he might have been displaced by the Lord Chancellor; but, being a magistrate and chairman of the bench appointed under an Act of Parliament, this House is placed in the position of attempting an exceptional Act in the case of an individual, the Mayor of the City of Cork. I do not wish to detain the House by citing the various authorities which I submitted to the House in 1861. Suffice it that they had the approval of a majority of the Law Lords in the other House of Parliament, although the clause in the English Act passed by a majority of 1. I would urge on the attention of the Government that, after this grave case has arisen, if they introduce any future Bill on the subject, they should re-consider the decision to which the House came in 1861, because I am most fully convinced, after examining the division lists, that if it had not been at the end of July, that objectionable provision, which was contrary to the decision of the Court of Queen's Bench, and contrary to the principle of the original Act, would never had stood on the statute book. It is based upon an evil precedent in the law of Ireland.

Colonel WILSON-PATTEN: I do not quite understand the course proposed to be taken by my right hon. Friend at the head of the Government. The Bill introduced by the right hon. and learned Gentleman the Attorney General for Ireland is one not only to remove Mr. O'Sullivan from the office of Mayor of Cork, but to render him ineligible to fill the office of magistrate now or at any future time. I wish to know whether my right hon. Friend intends to rest satisfied with the assurance of the Mayor of Cork that he will not stand for a re-election to that office at the next election of mayor, or whether he will take an assurance which will prevent Mr. O'Sullivan from filling the office of magistrate at any future time as provided in the Bill?

Mr. GLADSTONE: My statement was meant to convey to the House that our proceeding was intended to be one wholly against the Mayor of Cork, and against Mr. O'Sullivan as Mayor of Cork. I ought, perhaps, to have stated —though I think it was implied—that Mr. O'Sullivan, *bonâ fide*, ceasing to be Mayor of Cork, and on his failure to be re-elected or his declining to be re-elected to that office, in our judgment the contingency would arise when it would be wise to drop altogether everything in this penal proceeding. The Mayor of Cork having placed himself in the position of a private citizen, we should forbear to ask the House to pass a measure, brought in as a proceeding against him not in his private capacity, but as a representative of public authority, and an administrator of justice in the City of Cork.

Mr. LIDDELL wished for a moment to direct the attention of the House to a general question which had arisen out of the discussion. Circumstances not unfrequently added great weight to argument, and he wished to ask whether the time had not arrived when a careful and calm inquiry should be instituted into the circumstances under which the House abandoned the privilege of taking evidence upon oath? He wanted to know what the circumstances were, and whether—taught by the experience of the last few days— ["Order, Order!"]

Mr. SPEAKER: I beg to inform the hon. Member that this is a subject that cannot properly be debated now.

Mr. BOUVERIE: Perhaps the House will allow me to say that I think the Government have taken a most prudent and proper course. They brought forward a measure of an extreme nature, in its character almost unexampled in the annals of Parliament—for I believe the right hon. Gentleman opposite (Mr. Disraeli) was right in saying that there has been no instance, even in the worst times of Parliamentary oppression, of a Bill of this kind being introduced for the use of mere words—they brought forward this measure, no doubt with extreme reluctance, but as being the only mode with which they could cope—considering the condition of things in Ireland—with a very great evil. They brought forward this measure on their responsibility; but I am afraid, if it had been prosecuted further, we should have embarked on a most difficult course, beset with troubles and shoals and quicksands of every kind. It seems to me that the course now taken by the Mayor of Cork, though it has been somewhat late, is that which his sense of public duty has dictated to him, and through that action we probably shall escape from those difficulties. I think, therefore, that the course of adjourning the further proceedings on this Bill is a proper one, and trust that we shall hear no more of it. I have no idea, as I apprehend he has none, that Mr O'Sullivan will ever again be elected mayor. [Mr. Maguire: Hear, hear!] We shall now escape placing a precedent upon our Journals, which in difficult and troublous times, might have a most evil influence.

Mr. CANDLISH asked the Law Officers of the Crown, whether the law was the same in Ireland as in England, under which the mayor of any borough, after ceasing to be mayor, remained a magistrate for twelve months afterwards?

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan): In Ireland that is not so.

Mr. MURPHY said, until his hon. Colleague read the letter which he had placed before the House he was totally unaware of the course which the Mayor of Cork had taken; but he must say that from his personal knowledge of him —and he appreciated the motives of public duty which had actuated him in placing his resignation in the hands of the hon. Gentleman—he must express his opinion that he was actuated by sincere motives, and that what he had done he believed had been for the public good. He congratulated the House on the result which had been arrived at.

Mr. O'REILLY: I am sure the House joins with me in the feeling of satisfaction that it is unnecessary to prosecute this Bill any further, although I believe both sides would have supported it if the Government had found it necessary to carry it forward. The difficulty in which the matter has been placed has arisen from this—that there is no method known to the Constitution by which the mayors of any towns can be removed from office. It was felt by many that it would be more desirable to make a change in the general law than to legislate specially against the Mayor of Cork. It was also felt that it would be tampering with the independence of our great towns to make the law more stringent; and that it was not desirable to give the Government more authority over the local magistrates of a borough than they now possessed, in consequence of the error of one of them. There are two ways of dealing with the administrators of the law known to our Constitution. One is, in the case of ordinary magistrates, to give the Lord Chancellor power to remove them, and the other is, in the case of our Judges, who are irremoveable by the Executive Government, to remove them from office, when necessary, by an Address to the Crown from the two Houses of Parliament. If it should be thought desirable, as I believe it is, not to interfere with the self-government and independence of our municipalities, I would suggest whether, in any general measure introduced upon this subject, it would not be better to provide that municipal officers, when found unworthy to be entrusted with the administration of justice, should be removeable upon an Address from Parliament, and not by the action of the Government. They are popularly-elected magistrates, and I think the task of removing them might be safely entrusted to their representatives in Parliament.

Mr. MAGUIRE: I wish to say a few words in reply to a question which has been put by the right hon. Gentleman the First Lord of the Treasury. I have to state that I am sure that this is a *bonâ fide* resignation, and that Mr. O'Sullivan has no intention whatever of presenting himself again to solicit the office of mayor; and I do not believe there is any intention on the part of the municipal body in Cork to place him in that position.

Mr. DOWNING: I believe the House need have no apprehension whatever that Mr. O'Sullivan will ever again be elected Mayor of Cork after the course he has taken this day.

Mr. HADFIELD: We have now demonstrated that there is a power quite sufficient to put down anything opposed to Her Majesty the Queen, and which represents vast interests which now lie dormant, but could at any time be awakened to mighty efforts. But, powerful as we are, and representing, as we do, the force of the people of England, yet there is a power stronger than Parliament — and that power is not merely justice, but mercy, which is a far greater power than even justice in this country. This is a time of transition, thanks to the right hon. Gentleman the Member for Buckinghamshire, who has awakened a power in the public mind which cannot be driven back again. That power is one that will best be sustained during the transition period through which we are passing, and while a certain amount of excitement is natural, by our showing ourselves forbearing, patient and merciful, it will make this United Kingdom of Great Britain and Ireland omnipotent.

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan) moved that the Order for the attendance of Counsel and Witnesses be discharged.

Motion, by leave, *withdrawn.*

Order for attendance of Counsel and Witnesses this day *discharged.*

Mr. GLADSTONE moved that the Bill be read a second time on that day four weeks.

Sir PERCY BURRELL: Who is going to pay the expenses that have already been incurred in this case?

Mr. GLADSTONE: The Chancellor of the Exchequer, who has the means of paying.

Sir PERCY BURRELL: I think that is very hard on the country.

Motion *agreed to.*

Second Reading *deferred* till *Tuesday* 8th June.

CUSTOMS AND INLAND REVENUE DUTIES BILL—[BILL 95.]

(Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Ayrton.)

SECOND READING.

Order for Second Reading read.

MR. HUNT said, he thought it would be quite impossible for the House, in its state at that moment, to discuss the measure. But he hoped that if the Motion for the second reading were then adopted, the Government would put down the Bill for Committee on some day after the Whitsuntide Recess, when its details could be fully considered.

MR. GLADSTONE said, that it was material for public convenience that there should be as little delay as possible in the progress of the measure, and it was proposed to take the Committee on Thursday fortnight, when it would be taken as the first Order of the Day. It would, however, be convenient that the altered Resolutions which stood upon Paper should be proceeded with that evening.

Bill read a second time.

MR. HUNT asked what it was proposed to do with the amended Resolutions?

MR. GLADSTONE said, those Resolutions would be reported on Thursday next.

Bill *committed* for *Thursday* 27th May.

PARLIAMENT—THE WHITSUNTIDE RECESS.

MR. DENT asked, on what night this week it was intended to adjourn for the Recess, and on what day it was intended that the House should re-assemble?

MR. GLADSTONE said, that the day on which the House would adjourn depended partly upon the time which the Report on the Irish Church Bill would occupy. It was impossible to form an opinion on that subject with any certainty, but as matters stood at present he thought it probable that the discussion on the Report might be concluded on Thursday—possibly even at an early hour. In that case it was the intention of the Government to move that the House should then adjourn to that day fortnight.

REAL PROPERTY.—RESOLUTION.

MR. W. FOWLER: The Resolution with which I shall close my remarks is as follows:—

> "That, in the opinion of this House, the Law as to the Duty on the succession to Real Estate, and as to the exemption of Real Estate from Probate Duty, is anomalous and unequal, and demands the early and serious attention of the Government with a view to its amendment."

I must, in the first place, Sir, say a few words as to the history of this subject, that I may make my meaning clear. It is, no doubt, well known to many hon. Members that in early times, when land was held by feudal tenure, it could not be disposed of by will. It passed from father to son without the aid of any court, save it might be the King's Court of Wards or the Court of a Manor. But in those days things "personal," or chattels, were of small account, and in very early times they could be bequeathed by will. Wills were known to the Romans, and to the Saxons, and to the Normans; and in days when none but the clergy could write it was very natural that they should have much to do with the making of wills and the administration of men's estates. But, of course, cases often occurred where men died intestate, and it was very early understood that in such a case a man's goods were divided by the Church, *pro salute animæ* of the dead man. Thence it followed that if a man made a will, the jurisdiction of the Church was ousted, and so it became the custom that the fact of the existence of a will should be "proved," and hence the name "probate." How the spiritual courts obtained their jurisdiction—whether by mere custom, or by the authority of the Crown—is not very clear, and is not material to my present purpose. When once this jurisdiction was established, it was natural that these courts should charge fees for the work done by them, and these fees soon became burdensome. Thus in the reign of Edward III. we find in the recital of a statute that "grievous and outrageous fines" had been imposed by the "Ministers of Holy Church," in respect of the probate of wills. These were pared down by statute on several occasions, and finally, in the reign of William and Mary, a stamp was imposed on the probate. This was varied, as to amounts and as to the maximum on which duty was payable, in 1779 and subsequently, and in 1859 the present Prime Minister abolished the maximum, and made properties of all sizes pay duty. The House will thus see that land was exempt from this duty merely because it did not come within the power of the courts spiritual. A will of land required no proof, it being merely a conveyance by statute, and it requires no "probate" now. I must refer to one other ancient distinction which affects my whole subject. I allude to that between "freehold" and "leasehold." "Freehold" meant land held by free service, but it got at last the meaning of an estate in land of inheritance or for life, these being considered of more importance and more dignified; but an estate for years, however long, was regarded as a chattel, and so was part of a man's personal estate, though forming part of the land, just as much as an estate for life, or in fee. Being part of the land, leasehold estate paid all rates as land, but, being personal estate, it paid probate and legacy duty. Let me now refer to the history of the legacy duty apart from the probate duty. Legacy duty took its rise with the Romans, who made a man's estate pay 5 per cent duty. In our country there was, in feudal times, an "*inquisitio post-mortem,*" and very heavy charges were payable to the King, or other Lord, by the heir. But legacy duty was first imposed by the law of England in 1780 by a stamp charged on receipts given for legacies. This Act was repealed by the famous Act of 1796, brought in by Mr. Pitt. He wished to tax real estate and personal estate alike; but, knowing there was a doubt as to getting Parliament to tax the former, he brought in two Bills, and passed the Bill as to personal estate, but was compelled to abandon the other, after it had been read a third time, by the casting vote of the Speaker. I will read to the House Lord Russell's account of this transaction—

> "Mr. Fox objected to the tax, but he objected also to the tax on personal property in the first instance in the very strongest manner. His principle of opposition to both was the same, and it was based on the principle that he desired to give no additional means for carrying on the war. Mr. Pitt was intent upon increasing the means of carrying on that war. Mr. Fox, opposed to that war, was equally intent upon depriving him of those means. But Mr. Fox, who had entirely failed in opposing the tax upon personal property, was successful when he joined in the opposition to the tax on real property. And let me ask what was the cause of that success? It was that Mr. Pitt had failed in the earlier period of his life in carrying that reform of Parliament of which he had been the advocate. And I have no doubt that if the commercial and manufacturing interests had been duly represented in this House in 1795, that he would have carried the two taxes together."—[3 *Hansard*, cxxviii. 110.]

So the law remained until the year 1853, when the present Prime Minister passed the Act imposing a duty on successions, both to real and personal estate. Under this Act settled property paid duty which it did not pay previously, and leaseholds no longer paid as ordinary personal estate, but as land. Under this Act a distinction is made between land and personalty. A person coming into land pays only on the value of his life interest, even though he takes the fee in the land; but the law as to personalty is unchanged, and a person taking it pays on the whole value. Now, Sir, in speaking of this Act, I wish to acknowledge the courage of the Prime Minister in proposing and carrying such a measure in the House which then existed. He did the best he could at the time. Sir James Graham said it was the greatest legislative feat which had ever come under his notice. The House will see that under this Act the man who succeeds to a fee pays no more than the man who succeeds to a life estate, and this is my first objection to the Act. I would observe, in passing, that the results of the Act have been disappointing. Nor is this surprising, seeing that owners in fee only pay about one-half of the full duty. The present proceeds of the succession duty, as distinguished from legacy duty, are about £600,000 a year; whereas the right hon. Gentleman (Mr. Gladstone), in 1853, distinctly stated that he expected to receive £2,000,000 a year from this duty. The legacy duty, on the other hand—though leaseholds are excluded from it—is remarkably expansive. In 1853 it produced £1,200,000; and in 1868, £1,900,000. I have said that I object to the Act, in the first place, because the tenant for life pays the same as the tenant in fee. In bringing in the Bill the right hon. Gentleman argued that the owner of the life estate in a large property gets nearly all the advantage of the estate; he is in possession of the land; he is the great man on the estate; and, in fact, enjoys the practical benefit of the estate which descends to his children, and so there is very little difference between him and an owner in fee simple. Now, I altogether dispute this proposition, and I maintain that it is a very different thing to be tenant for life and tenant in fee. We must remember that we have to deal with moderate and small properties, as well as with large estates. Take the case of two men, to each of whom land worth £10,000 is left, but to the one for life and the other in fee. The man who has the fee can do as he likes with it. He can sell it, and invest the proceeds in securities which yield a better interest; or he can improve it, and get the full benefit of his improvement; but the man who has the life estate can merely keep it, and take the very moderate interest on its value. But the right hon. Gentleman went on to say that, if the law should be as I propose, the duty would fall more often on small estates than on large, because large estates are generally settled. This is true; but I would observe that no pity is shown to the legatees of small portions of personalty; they have to pay to the very last farthing. A man wrote to me the other day, stating that he lately received a little over £100 from his step-mother, and had to pay £13 to the Government as duty. Then the right hon. Gentleman said that if the full duty was charged on the fee, people would more often settle the land, in order to escape the duty. Now, I believe that settlements are made in general for family reasons, and not upon such small considerations as the duty; but, even if this were otherwise, that is not a matter for the House to consider. The Legislature ought to do what is right and just, and leave the results. Certainly, I am the last man to encourage settlements of land; I should greatly prefer to see much less land settled than is now settled. I believe that the settlement of so much land is very injurious to the State, because it prevents a great mass of capital which ought to be applied to the land, from being so used. At the same time, we ought not to make an unjust law in order to discourage settlements. The right hon. Gentleman added that the imposition of the duty where a man came into an embarrassed estate, might compel him to sell it. If so, I should say, so much the better, because such a man had better sell the estate to a man of capital, who could do justice to the land. I am convinced that we have far too many embarrassed owners in this country, and I would gladly see their number diminished. And now, Sir, I come to my second objection to the working of this famous Act—namely, that I think, as a matter of common justice, the owner of the fee in land ought to pay the same duty as the owner of the absolute interest in personal estate. The right hon. Gentleman says that land, including leaseholds, is rateable; and, therefore, he imposes on it a less duty, while personalty is invisible and not rated; and therefore he charges it with a higher duty—that is—the full legacy duty. That was the substance of the argument of the right hon. Gentleman; but I regard it as unsound, however plausihle it may be. Now I maintain, in the first place, that land is far more staple in value than personalty. That value increases as the nation increases in wealth and power. The area of the land is limited; but population and wealth increase rapidly, and with them the demand for the produce of the soil. It has been often observed by Mr. Mill and others, that the owner of land sits still, and his property goes on improving; whereas, the man of business has to work hard, and incur much risk and pains to obtain the improvement of his property and the increase of his estate. Now, without laying too much stress on this, I would observe that it cannot be denied that the value of any given amount of personal property is exceedingly fluctuating and uncertain. Take the Funds—in the last six years they have varied about 8 per cent, merely from commercial causes. A Member of this House told me that he gained 2 per cent last week on the sale of a large amount of stock. Consider, again, how fluctuating is the value of the vast amount of money which is invested in stock-in-trade. There are large masses of property of this description, the value of which is more nominal than real, and is continually undergoing depreciation. If we look at the effect of war, we shall find that at first, at any rate, it increases the value of land, while it diminishes enormously the value of personalty. Suppose, for instance, we were to engage in war with the United States, what a mass of personal property would be destroyed. Were such a calamity to befal us, many, whose faces are very familiar in this House, would find their position very different. I allude to this, merely to show what a fundamental distinction there is between landed property and personal estate. Accordingly, all, or nearly all, political economists, are agreed that land ought to bear more taxation than personal property. It is entirely a question of degree. But even if it could be shown that land pays more than it ought to pay, this would be no answer to my argument, because I say that it is not right to compensate one unfairness by another. I agree with Mr. Cobden, when he said that he objected to what he called the "odious principle of compensation." But I ask—is it a fact that the land pays more than it ought to pay in the shape of local taxation? Now, all of us are well aware of the magnitude of these local taxes, which are supposed to amount to between £18,000,000 or £19,000,000. This taxation has increased, is increasing, and ought to be diminished, and I do not say one word in its favour. I wish something could be done to lessen this heavy burden. Let us consider for a moment of what these taxes consist. We have, in the first place, the highway rates, the county rates, and the town rates, and with regard to these, I think it clear as a matter of common sense, that they should fall pretty much as they do at present. For instance, those who live in a place ought to pay for the roads which they use. But then it is said that owners of personal estate have the benefit of roads and other things, and do not pay as they ought towards keeping up the accommodation of which they have the benefit. Now, as to this, I think in the first place, that we may leave the towns out of the question. I believe that, taking the poor rates and the other local rates together, the towns pay fully one-half of the whole rates. And if there be a hardship, the hardship is greater on the owners of houses in towns than on the owners of land, because the former very often live in part from income derived from personalty, or from their own industry, and so pay both sets of taxes. But, on the other hand, they are the men who are the most able to control the local expenditure in towns, as they generally have more influence and more time at their disposal than the bulk of the inhabitants. At present they have the strongest motive for keeping a vigilant watch over the expenditure, and I think it would be dangerous to diminish the force of this motive by extending the tax to the mass of the people, who would have very little power of curtailing the expenditure, however galling the burden might be. Now, it is to be observed that these large towns ask no favour in this matter. They send Liberal Members who are quite disposed to do away with all these exemptions, and to act fairly as between realty and personalty. They are very generally men who own personal as well as real estate, and anything taken off one would fall on the other. Those who complain most are the owners of land, and I admit that they are heavily taxed. I wish the burden could be made lighter. I am the last man to say that the present state of things is satisfactory. We heard last night a great deal about pauperism. On that subject I shall only say that while I fully admit it to be a grievous thing that we should have to expend so vast a sum of money in this way, I do not think the burden on the land as such is heavier than it ought to be, when all the circumstances of the country and the nature of landed property are taken into account. It is laid down, by Mr. Baxter, that in the case of land, one-fourth of this rate falls on the tenants, and in the cases of houses one-half—so that the owner of the land does not bear the whole burden. Different opinions prevail on this point, but, however this may be, I ask, how are we to prevent the vast waste which must take place if part of the burden of the poor rate should be borne by the Imperial Exchequer? Now on this point we have a precedent; in 1849 the right hon. Gentleman the Member for Buckinghamshire proposed that half of the poor rates should be thrown on the Consolidated Fund; but in 1852, when he brought in his Budget as a responsible Minister, he gave up that idea altogether. I would further remark on this point that our present mode of payment is a bad one. The landlord does not pay with his own hand, and so does not look after the expenditure as he otherwise would do. It would be far better that half should be paid by the landlord and half by the occupier, so that the former might feel the necessity of having an eye on the expenditure of the money. I have only one word more to say on this subject. I think the landlords have the matter to a great extent in their own hands. If more capital were applied to the soil, and the land were better cultivated, we should hear much less about poor rates than we do at present. The other day I went over an estate of 3,000 acres belonging to a wealthy gentleman. There was only one cottage on it, and I believe I could have bought it for £20 an acre, whereas with proper cultivation it would soon be worth £60 or £70. I want to see less of this state of things. The truth is that the land needs more capital to be expended on it, and thus more employment would be given to the people. I agree with what Mr. Cobden said in 1849—

> "I believe we have no adequate conception of what the amount of production might be from a limited surface of land provided only the amount of capital were sufficient. I see no reason whatever why I should not live to see the day when a man who lays out £1,000 on eighty acres of land will be a more independent, more prosperous, and more useful man than many farmers who now occupy 500 or 600 acres, with not one-quarter or one-tenth of the capital necessary to carry on the cultivation."—[3 *Hansard*, ciii. 845.]

And now I wish to observe that however heavy the burdens on land now are, they are not, relatively, so heavy as they were formerly. During the present Session the right hon. Gentleman the President of the Poor Law Board has told us that, in 1815, the land rated to the poor was assessed at £37,000,000, while the other property so rated was assessed at £16,000,000; but, in 1868, the land was assessed at £46,000,000, and the other property at £84,000,000. I will only mention one other set of figures. In 1842-3, the farmers of Great Britain were assessed for Schedule B of the Income Tax on a rental of £22,800,000; but, in 1866, they were assessed on a rental of £32,500,000; so that the rents had risen 50 per cent in that interval. It is, at any rate, satisfactory to feel that there is an increasing fund on which the burden is to fall. I should like just to mention that in America land pays on its value and not on its income, so that here it has a great advantage as compared with other property, inasmuch as the income from land is only a small per centage on its saleable value. And now, Sir, whatever may be thought of what I have so far said, there can be no doubt that the law is grossly inconsistent in this matter of rating, as I shall proceed to show. Let me take, in the first place, the case of the farmer. We hear much of the landed interest and its unity, and yet the farmer pays legacy duty on the full value of his lease, and all his stock-in-trade and effects, while his landlord pays only on the value of his life interest in the estate. This seems harsh and unequal. But my second case is far stronger. The railway companies of this country pay £900,000 in local rates of all kinds, and about £500,000 for carriage duty, and yet railway stock, being regarded by the laws as personalty, pays probate and legacy duty in full. I will read to the House a statement I have received from the Secretary of the North Eastern Railway Company—

> "Railway companies are liable to all kinds of rates—namely, poor, highway, district, borough, watching and lighting, improvement, paving and watering, new streets, sewers, and, in fact, all which are imposed by any local board or authority.
>
> "You will be aware, I presume, that by the Local Government Act (21 & 22 *Vic.*, c. 98) railways and other kinds of property are assessed at one-fourth of the 'nett annual value,' for 'general district rates.'
>
> "The North Eastern Company paid for rates within a trifle of £80,000 in 1868. This is $2\frac{1}{2}$ per cent on our gross receipts, nearly 4 per cent on nett receipts, and $9\frac{1}{2}$ per cent on amount paid to the ordinary shareholders!"

I cannot conceive anything more unfair than this state of things. Nor is this all. In rating a banking house, you do not take into account the profits of the bank; but in rating a railway company, you do take into account the profits made or supposed to be made by the company, and I believe it will be found that these companies are assessed for a far larger amount than that which they really divide. Now this is a very large matter. The amount of the ordinary stock of railways is about £250,000,000, to say nothing of an equal amount of debentures and preference stocks. I say, therefore, that it is high time this state of things was considered and amended. Before I pass from this part of my subject I wish for a moment to refer to the state of the law as to burdens on land in other countries. Speaking in 1849 Lord Halifax said that—

> "There is hardly a country in Europe in which a larger proportion of the national taxation is not paid by real property and land than in England."

I am glad to be able to confirm this statement as to France in the words of M. de Lavergue, one of the first of French economists. Writing a few days since he says—

> "In France all local taxes come under the name of *centimes additionels*, because in addition to the four direct contributions to the State—namely, (1) *la contribution foncière ;* (2) *les contributions personelle et mobilière ;* (3) the tax on windows and doors; (4) the tax on licenses, moveable property pays duties on successions and transfers, but much lighter than those which fall on immoveable property. You may affirm that immoveable property bears in France three-quarters of the general taxation directly contributed to the State, and almost the whole of the departmental and communal taxation.

Now this shows clearly that, as compared with other countries, the landowners of this country have no cause to complain. I am not arguing that the French system is good, but the comparison is certainly interesting. Before I conclude I must say a few words as to the probate duty. What I have said as to the legacy duty applies to this, with this distinction, that the exemption of real estate in this case is total, as the Prime Minister made no change as to probate duty when, in 1853, he subjected the land to succession duty on the value of the life interest. This exemption, as I have explained, rests on no principle, but results merely from the accident that landed estate never got within the jaws of the spiritual courts. Let us take an illustration of its effect. The leaseholders on the vast property of the Marquess of Westminster, hard by where we are, pay heavy rates, as many hon. Gentlemen know; and these leaseholds are subject to probate duty because they are considered in law to be personal estate; but the reversioner — the Marquess—pays very little in the way of rates, and yet his reversion pays no probate duty. I say that this is a monstrous anomaly. It has sometimes been suggested that there would be a difficulty as to the valuation of land for the purposes of probate. I do not think the House need listen to any such argument, for if this matter were left to the ingenious gentlemen of the Inland Revenue Department, they would soon dispose of it without incurring any serious expense. Now, Sir, I have thus endeavoured to show that the burdens on the land are natural burdens, and that the land from the nature of the case, enjoys peculiar advantages which enable its owners to bear those burdens without undue pressure. I desire the prosperity of the landed interest, for I conceive that the prosperity of no interest is of more importance to the State. I ask them to treat this question as an Imperial question—to put aside all class distinctions and feelings, and to bear cheerfully whatever burdens rightly fall on them without claiming any unfair exemptions, and I trust that they may long enjoy the pre-eminent state and dignity which are theirs.

Mr. WHITE seconded the Motion.

Motion made, and Question proposed,

> " That, in the opinion of this House, the Law as to the Duty on the succession to Real Estate, and as to the exemption of Real Estate from Probate Duty, is anomalous and unequal, and demands the early and serious attention of the Government, with a view to its amendment."—(*Mr. William Fowler.*)

Mr. G. GREGORY said, he was not connected with the landed interest, and did not address the House as its champion; but having been generally brought into connection with land as a matter of business, he could speak with regard to the burdens and obligations which belonged to it. So far as he knew, the only exemption which landed property enjoyed from taxation was in respect of probate duty, and recently the succession duty had been imposed as a counterpoise to that which was charged upon personal property in another shape. He could state from personal experience that the succession duty had worked injustice in many instances. There was an element in that duty which was frequently lost sight of, but which was severely felt by those who were liable to it, and which materially tended to increase its amount, that was the mode in which the descent was traced for the purposes of the duty. With regard to personal property, there was only one descent—namely, from the deceased to his successor, and he paid according to relationship. But not so with regard to the succession duties, because they were frequently assessed with regard to that predecessor in the title who was a remote ancestor, and possibly a stranger in blood. The party who succeeded was often charged with annuities and jointures paid to persons who were strangers to him, and upon the falling in of them them he had to pay a succession duty of 10 per cent. Exception had been taken to the assessment of these duties on the life estate only, but he hardly saw any other principle on which the charge could be made than as on a tenant for life. Most large estates were either settled or entailed, but looking at the difficulties and the great expenses which must always attend real property, the person succeeding to it was in nine cases out of ten, for all practical purposes, tenant for life. The mode of assessment on land, too, involved a good deal of complication, the exhibition of titles, valuation, the disclosure of charges, and other liabilities on the estate, all of which added considerably to the expense of getting the succession duty assessed on real property. Personal estate paid only 1½ per cent as probate duty, but real property had to bear a number of what he called natural liabilities, such as charities, allowances to tenants, and other matters of a like kind, and above all a great demand was made upon it for local taxation, from which the greater portion of personal property was free. Then there were the stamp duties on the alienation of real property. No man could transfer his property without paying a tax of 5*s.* per cent, and how, he should like to know, would the hon. Gentleman like to have personal property subject to the same tax? How would he like to have it imposed on the transfer of shares, of Consols, on time bargains, and on bills of lading? Was he prepared to go to that extent, because if equalization were to be established at all it must be established to all intents and purposes. He submitted there were some species of personal property, as where lucrative businesses were carried on, which ought to be taxed according to the extent of the business carried on upon the premises. The good-will of a large banking house, or a flourishing mercantile business, ought to be called on to contribute something to the taxation of the country. He denied that the Law of Entail—as it had been frequently stated in that House and elsewhere—created a dearth of land in the market, and that there was a difficulty in obtaining small holdings. He received every fortnight from the auctioneers of the metropolis, statements giving descriptions of eight or ten properties in every county in the kingdom, which were to be had at all prices, some no doubt, at a fancy price, but the greater portion by far on terms constituting eligible investments. He believed, therefore, that there was no difficulty in the way of persons who desire to invest their money in landed property. In conclusion, he thanked the House for the manner in which they had listened to him.

MR. M'LAREN said, it had been stated that land was not unduly exempted from taxation, but he ventured to state that it was so, particularly in reference to the assessment of the income tax on farmers, and, consequently, whatever exemption they obtained was in favour of the landlords. If they took the years 1813, 1814, and 1815, when the old income tax was in existence, they would find that the income tax paid by farmers amounted to one-seventh of the whole tax. If, however, they went back for the last ten years, and took an average of ten years, and of three years, they would find the proportion paid by the farmers was one-seventeenth for the ten years; and for the last two years only one-twentieth of the total sum paid for income tax; whilst the rest of the community had paid a far greater proportion during the last two years than they paid at the termination of the French war. The rents of farms had of late years greatly increased; and this proved that the farmers were unduly favoured by the artificial mode now adopted of computing their profits; and the benefit ultimately went to the landlords. He hoped the Chancellor of the Exchequer would look into the matter, and next year do an act of justice by making all persons contribute according to their real incomes to this tax.

THE CHANCELLOR OF THE EXCHEQUER said, he had some difficulty in dealing with this Motion, as he had so very recently become acquainted with it, and he might venture to remark that for the future it would be very desirable, when hon. Gentlemen intended to submit Motions of this great importance to the House, they should put them on the Paper a day or two beforehand, in order that the Government might have the benefit of considering them. The hon. Gentleman, however, had merely given notice that he should move a Resolution. He confessed that not having had any great experience of the matter he felt himself at a considerable disadvantage; but he trusted that the hon. Gentleman, having done all he desired to do in bringing the matter forward, would not press the Government to give a decision off-hand on a subject of such vast importance. The question involved nothing less than the whole problem of the principle on which all property should be taxed, and how far local arrangements ought to be taken into consideration. There was one part of the hon. Gentleman's argument to which he could not subscribe—namely, where the hon. Gentleman seemed to endeavour to prove that the question of local taxation was immaterial, and might be put aside in the regulation of the taxation of land. Now, although people might differ as to the weight which ought to be given to the local element, no one, he thought, could disregard it altogether. Indeed, the hon. Gentleman himself appeared to be conscious of this when he argued as to the actual incidence of local taxation. Land paid income tax on the gross amount of the income, and consequently it bore an immense burden of local taxation. On the other hand, it was equally clear that land enjoyed a great exemption in being free from probate duty, and in having the succession duty put on with a very lenient hand, to say the least of it. The interest of the tax was assessed as a life interest, and paid accordingly; but although the law could do most things, it could not give a man the enjoyment of the land for a period longer than his life. In the abstract the problem might be difficult, but when the different elements of it were mustered together it was not difficult to show what burdens land bore and what immunities it enjoyed. Although land might yield a small income, yet it might be regarded as a sort of lottery ticket, which sometimes turned out to be a great prize, from the discovery of mines, or the establishment of manufactories upon it. These were matters of curious speculation, and if followed out would form admirable subjects for the consideration of a statistical society. But after discussing these elements we should be only on the very outskirts of the problem proposed by the hon. Gentleman, because we should still want some common measure by which we could set off one element against another and come to some definite and practical conclusion on the subject. To this problem he confessed himself utterly unequal. He thought he apprehended the nature of the subject, and that it was well worthy of the consideration of the House and the Government. He did not think it would be wiseto pass a Resolution on this subject, which might instil in the minds of some people unfounded hopes on the one side, and unfounded fears on the other; and he therefore ventured to suggest that the hon. Gentleman, after having drawn public attention to this question, should not think it necessary on this occasion to to go to a division. He (the Chancellor of the Exchequer) would give his best attention to the subject, and if he could adopt any of the hon. Gentleman's views he should be exceedingly happy to do so.

Dr. BALL said, he thought the imposition of probate duty upon land was highly objectionable. Probate duty was a tax imposed on personal property, and paid by the executor or administrator out of the general mass of the personal property and land. This was objectionable as regarded land, because the duty was paid totally irrespective of the enjoyment of the property. A person had to pay it before he could enjoy the property, and if he had no capital it became necessary for him to raise the money by mortgaging the land. Nothing, he might remark, could be worse than a system which encouraged frequent charges on landed property. Apart from the general question he expressed the opinion that probate duty was not a judicious means of taxing the land.

Colonel CORBETT observed that the land tax fell very unequally, because of its having been redeemed in some cases and not in others. He, for instance, paid 10*d.* in the pound for land tax. This should not be forgotten in equalizing charges upon the land.

Mr. A. JOHNSTON said, that as no hon. Member had risen to reply to the arguments of the hon. and learned Member for the Dublin University (Dr. Ball), he would endeavour to do so, although it must needs appear great presumption on his part to attempt to confute so good an authority; but the hon. Member's arguments were such as could not be accepted on that side of the House. The hon. Gentleman had drawn a distinction between duty paid by executors, and duty paid by devisees, but he contended that it was the property paid, itself which and which ought to pay, the probate duty, no matter by what machinery it was paid; and this was also the simple reply to the hon. Member for East Sussex (Mr. G. Gregory), who had enlarged on the hardship of making a tenant for life pay the same duty as one who enjoyed the fee simple. He would get over all these difficulties by charging the property itself with the duty every time it passed by death, and then the tenant for life would pay the exact duty on the interest he enjoyed, and no more. The fact was there was one argument, and one only, for the exemption at present enjoyed by landed property—namely, the way in which it is burdened with local taxation, but that argument had been, to a great extent, met by his hon. Friend the Member for Cambridge (Mr. W. Fowler), who had shewn that railway property and leasehold property, although as heavily burdened as any for local purposes, yet paid legacy duty to the full. There was no doubt that, in some manner, before long, personal property would be made to bear its share of local burdens. That subject had been most ably put before the House by the hon. Members for South Devon (Sir Massey Lopes) and South East Norfolk (Mr. Read), whose views must shortly prevail, and then the last rag of an argument for the exemption of real property from Imperial taxation would be gone. The Prime Minister had, he believed, more than once advanced this point as to local taxation; and he hoped that the right hon. Gentleman was, on those occasions, expressing his past mind more than his present or future mind on this question, or rather he would say, was resting on his oars after the long and successful struggle which he maintained in 1853 against a compact phalanx of Gentlemen on the other side of the House of great ability and legal knowledge, and who resisted with all their might the imposition even of succession duty. He might well think he had done enough. But now the circumstances were changed. In those days the right hon. Gentleman was greatly in advance of his party in financial science; he had to drag them after him, but he now led an enthusiastic band of followers, who, although many of them were closely connected with, and interested in landed property, desired equality and justice for all, and were most anxious to see this question settled. They had now a new Chancellor of the Exchequer, and he had listened with pleasure to what had fallen from him this evening, and he hoped that he would, before long, lead them on to abolish these inequalities, and to destroy what was really nothing more than a paltry relic of feudal privileges.

MR. W. FOWLER was much obliged to the Chancellor of the Exchequer for what he had said upon the subject, and of course would not divide the House against his wish. But the question was important; it involved something like £2,000,000 a year, and he hoped that between this and the unfolding of the next Budget the right hon. Gentleman would give some attention to it.

Motion, by leave, *withdrawn.*

COUNTY FINANCIAL BOARDS BILL.

LEAVE. FIRST READING.

MR. KNATCHBULL-HUGESSEN: In accordance with the promise contained in the gracious Speech from the Throne, I have now to ask leave to bring in a Bill which has for its object the introduction of the principle of representation in the control of the county rate. I wish to state at the outset that, in proposing such a measure to Parliament, Her Majesty's Government have not the least wish or intention to impute any mal-administration or want of competency to those who have hitherto had the entire management of county rate expenditure. No doubt, throughout the country, there are many magistrates who concern themselves very little about the general and financial business of their counties, and who are content with the occasional discharge of judicial functions in their own immediate localities. But it will not be denied that in every county in England there are to be found a certain number of the unpaid magistracy, who, at great personal inconvenience, devote much of their time and attention to the administration of the business of their counties, other than judicial, and who conduct that administration in a manner creditable to themselves and advantageous to the public. Amd when we are about to legislate in the direction which I have to propose to-night, I think it is but just and fair to express our sense of the value of services thus gratuitously rendered, and to guard against the possible supposition that any want of appreciation of those services or any doubt of their value lies at the root of our proposed legislation. I would observe, moreover, Sir, that as many of the magistrates are themselves rate-payers to a considerable extent, the interest of rate-payers are not likely to be willfuly or intentionally neglected under the present system. And I think that many of those who wish that system altered, and complain of the largeness of county expenditure, are really scarcely aware of the fact that a very large proportion of the county rate is levied under the authority and direction of special Acts of Parliament, for which the magistrates are not in any way responsible; and that of the expenditure thus incurred they are not the originators, but only the ministers and agents of the law in its administration—acting under the direct supervision of Government Departments. Still, Sir, it must be owned that even in that administration there is a certain discretion according to the due or undue exercise of which greater or smaller sums may be levied upon the counties. Taking this into account, considering that the rate-payers have no voice whatever in the appointment of the magistrates, and bearing in mind that this is the only part of the fiscal system of Great Britain in which representation and taxation do not go together, we can hardly wonder that a cry has been somewhat loudly and extensively raised in favour of the establishment of Representative Boards to control the finance of counties. Sir, —speaking myself as a magistrate and country gentleman, I would venture to say that such a proposal will be by no means either unpopular with the class to which I belong, or at all likely to diminish their just influence in the country. If, as a body, we have hitherto exercised the powers entrusted to us with diligent attention, and with a due regard to economical considerations, it cannot be otherwise than satisfactory to us that this fact should be more generally known among the rate-payers of our respective counties by means of the association with us of their direct representatives in the future exercise of those powers. Nor have I the least fear that any feeling of jealousy will prevent the harmonious working of the old and new administrative elements. The matter has been already tested. On Boards of Guardians—on Fishery Boards— on Cattle Plague Committees—on Assessment Committees—*ex-officio* and representative members have worked together with perfect good feeling and with great public advantage, and I do not, for a moment, doubt that these elements may be blended with equal advantage in the general financial government of counties. Now, Sir, this subject is by no means new to Parliament. In 1850, a right hon. Friend of mine, whose absence from the House I am sure we all regret—Mr. Milner Gibson—introduced a Bill which proposed the establishment of a County Financial Board, half to be composed of ratepayers elected by Boards of Guardians, and half of magistrates elected by the Court of Quarter Sessions. The question was referred to a Select Committee, whose Report condemned the proposal to take the power out of the hands of the magistrates—whose administration they found to be efficient and economical—and negatived the Preamble of the Bill. This Committee, however, made several recommendations upon the general subject—they recommended that the clerk of the peace should be paid by salary instead of fees, and a measure was passed the following year which sanctioned this arrangement. They recommended that annual financial statements should be published and distributed to every union. Accordingly, an Act was passed (15 & 16 *Vict.*, c. 81) to consolidate and amend the statutes relating to the assessment and collection of county rates, which, among other provisions, directed that all financial business should be transacted in open court, and that county treasurers should publish once a year an abstract account of their receipts and expenditure, and send copies of the same to clerks of Boards of Guardians. This Committee also recommended that "the accounts of counties should be annually audited by some efficient and responsible officer," and although no legislative action has followed this recommendation, it has been adopted by several counties with, I believe, considerable advantage. Mr. Milner Gibson introduced his Bill again in 1851, but had no better success in passing it. Nothing daunted, he brought in another Bill in 1852, in which he ignored Quarter Sessions altogether, and proposed that the rate-payers should, through the Boards of Guardians, elect the whole Financial Boards. This Bill was negatived upon the second reading, and the question slumbered for some years. No measure was introduced till last year when two Bills were proposed—one by the hon. Baronet the Member for Thirsk (Sir William Gallwey) and the other by Mr. Wyld, then Member for Bodmin, the result of which was the appointment of a Select Committee which was presided over, with his usual ability, by my right hon. Friend opposite (Colonel Wilson-Patten). I think that the result of the deliberations of this Committee may be summed up in two sentences. First, they were of opinion that there is no great fault to be found with the practical results of the working of the present system. Secondly, that the desire of the ratepayers to be directly represented in the management of county finance is a just and reasonable desire, and one that ought to be granted. Then, Sir, I reduce those two results into the following proposition as a basis for our legislation. Let us introduce the representative principle with as little disturbance as possible of the present administrative system. But before I proceed to describe the precise nature of the Bill which I shall ask leave to introduce, and which is, in some respects, founded upon the recommendations of last year's Select Committee, I wish to point out what I have been especially desirous of avoiding in attempting to legislate upon this matter. In the first place, it is very undesirable to have a very long Bill, introducing cumbrous machinery which is calculated to confuse the minds of those who have to administer the law. This Bill will have one advantage over its predecessors which I am sure the House will appreciate; for, whereas the Bill of 1852 contained 122 clauses and last year's Bill 140, we have so managed as to reduce our Bill within the reasonable limits of twenty clauses. And, as my right hon. Friend near me (Mr. Gladstone) suggests, if we can only contract the county expenditure in the same proportion, we shall achieve no inconsiderable results. Then we have been anxious to avoid the creation of any new districts. Rural England is already plagued to death with sub-divisions and new districts. What with Petty Sessional Divisions, Local Government Districts, Highway Districts, Union Districts, and I know not what besides, we have arrived at a state of confusion which I think really unfortunate. We therefore avoid the creation of new districts, and we take the Board of Guardians as the constituent body from whom we are to obtain our representative element, confining ourselves, however, to those who are themselves elected members of the Boards of Guardians, and who in electing representatives may be supposed to afford a fair index of the feeling of those who have elected them as guardians. One at least of last year's Bills proposed to introduce the permissive principle. Now, Sir,—especially considering the discussion awaiting us to morrow upon permissive legislation—I am not going to commit myself or the Government for or against the permissive principle, but I think it especially desirable to steer clear of such a principle in dealing with the question at present under discussion. I take leave to say that I think the application of the permissive principle to the Highway Act has been very unfortunate as regards the working of that Act. You have persons for and against its adoption, and where it has been adopted against the wishes of a considerable minority, it is not always carried out with that cordiality which is necessary to ensure its good working. In such a case as this, Parliament is quite competent to decide whether the plan which we propose is a wise and salutary plan or the reverse, and I do not think we ought to throw it upon the rate-payers or the magistrates to decide whether Parliament has been right or wrong, but if our measure is passed, it should be equally applied to all the counties of England and Wales. Well, Sir, what we propose, practically, is to divide the business now performed by the Court of Quarter Sessions into two divisions—judicial business and administrative business—to reserve to the court its powers as to the former, but, as to the latter, to engraft upon it a body of representatives who shall, upon terms of equality, share in the transaction of all administrative business. The technical manner of achieving this object is as follows:—We establish a County Board, to consist of official and elective members; we make the Justices of the Peace in every county the official members of the County Board; and we supply the elective members in a manner which I shall presently describe. Then we reserve exclusively to the Justices in Quarter Sessions assembled, the trial of offenders, the hearing of appeals, and all other judicial business. I think the line of demarcation will be tolerably clear in practice; but if any question arises as to whether any one branch of the business belongs to the Quarter Sessions or to the County Board, we propose that there shall be an appeal to the Home Secretary, whose decision shall be final. There is one other exception which we make with regard to the powers of the new Board. It is with regard to the Visiting Justices of Prisons, and to the making of regulations for prison discipline. We think this power should still rest with the magistrates, and as, in boroughs having gaols of their own, the representative council of the municipality controls the funds, whilst the borough magistrates are the visiting authority and regulate the discipline. We propose to apply precisely the same principle to counties, so that while the County Board shall control the finance, the magistrates shall still maintain their power over the prison discipline, for which indeed they are responsible. All committees appointed by the County Board are to consist of an equal number of official and elected members, and, of course, the Board will exercise the same control over its committees as is now done by the Court of General or Quarter Sessions. The general result will be that all the financial arrangement of counties, and in fact all arrangements which bear upon the expenditure of the county rate, will be in the hands of the new County Board; and we provide that the accounts shall be annually audited and examined by an auditor whom the Board shall appoint. The House will be anxious to know the method by which we propose to obtain the elective or representative members, and the proportion which they are likely to bear to the official element upon County Boards. Without going into details, which may be more advantageously discussed at future stages of the Bill, I will state the broad principle upon which we desire to act. We propose that the Boards of Guardians throughout the country shall elect the representative members of their County Boards according to the gross estimated rental of their respective Unions—no Union is to return more than four representatives. A gross estimated rental up to £50,000 in England, generally, and £25,000 in Wales and two or three of the smallest English counties, will give one representative; from £50,000 to £100,000, two representatives; from £100,000 to £150,000, three representatives; and above £150,000, four representatives. Now it is impossible to state, with precision, the proportion which these elected members will bear to the official members of the Board. It is impossible, because if I take the whole number of magistrates who are upon the roll in each county, and who are qualified and acting magistrates, I find that as a matter of practice, only a proportion —greater or smaller in different counties —attend to that description of county business which I have called administrative. I believe it will be found that the proportion of elected representative members to acting magistrates in each county, will average one to five upon paper; but this must by no means be taken to be the actual and reliable proportion. In counties where no great desire to be represented exists in the minds of the ratepayers, it is certainly likely enough that there might be no great attendance of the elected members. After all, if this is so, no one need complain, and the worst that will happen is that the present system will remain practically undisturbed, and undisturbed because it has not given rise to complaints among the rate-payers. But considering the wish that has been expressed by the ratepayers for representation, and that these elective members of the County Board will have a constituent body to look after them, to whom they will be responsible, I think we may presume that where this wish really exists, the attendance of the elected members will be much greater in proportion to their whole number than has hitherto been the case with the body of acting magistrates. If this be so, the proportionate strength of elective to official members attending on the County Boards will, practically, be much greater than I have stated, and they will be able to exercise a perceptible influence upon the proceedings of the County Boards. Now, Sir, having briefly sketched the main features of the Bill, I do not know that I ought to anticipate opposition, but there are one or two possible objections to which I will allude before I sit down. I am not afraid that much objection will be raised on the part of the magistracy. After all we only propose to engraft upon their body, for the purpose of the discharge of a certain part of their duties, a number of men who will probably be selected from the best of their class, and whose local and practical knowledge will frequently prove of great public utility. I think, however, it is probable that some of my hon. Friends near me may raise the objection that we do not introduce a sufficiently strong infusion of the representative element. For that objection I am quite prepared; but I would respectfully caution the House not to form a hasty judgment upon this point. The objection arises, I think, in the minds of those who cannot get rid of the idea that these representative members are about to enter the court to oppose the existing element. That is a great mistake. We are not going to supersede, but to strengthen and improve the existing body. The objection is founded upon the same sort of error into which a certain class of debaters always fell in our old franchise debates. There were some Gentlemen who always appeared to consider that the new voters were about to be banded as a class, and as one man, against all who had been voters before. That turned out, as I always felt sure it would, to be an entirely erroneous idea, some of the new voters taking one side and some another. Just so in the present instance; I will answer for it that in every division which may occur in these Financial Boards, there will be found *ex-officio* and representative members on one side and on the other; and if a case should occur in which the whole, or nearly the whole, of the representative members voted—as we should say here—in one Lobby, they would have on their side a sufficient number of the *ex-officio* members to make it tolerably certain that they would be in a majority. There are two more objections which may probably be raised. One is that there is another Bill before Parliament at this moment, introduced by the President of the Poor Law Board, which constitutes another Board for the valuation of the property in counties, and that a double Board may be held unnecessary. I think, however, without going further into the question, that the process of ascertaining the proper basis upon which property should be rated, and the duty of administering the rate are two different things, and that the two plans may go forward together without clashing one with the other. A larger and more formidable objection may probably be raised by those who desire to see the establishment of some great Financial Board upon the elective system, which shall exercise a control not only over the expenditure of the county rate, but over local taxation generally. There is something in this idea theoretically beautiful, but it is a serious question whether it would be found practically possible—what may come hereafter is not for me to prophesy, but such a scheme could not be carried out at the present moment without great difficulty and no inconsiderable risk of failure. But I venture to suggest that those who look forward to such a change may well accept this Bill as a tentative measure. If it is found that the representative element does not make itself felt—that, as some fear, the representative members of the court do not attend or are over-ruled—at least the existing machinery will remain unimpaired, and the ground will be as clear as it is now for any such great scheme as that to which I have alluded. If, on the other hand, the Bill works well, and fresh vigour and popularity is infused into the county governing body by the introduction of the representative element, it will be open to us hereafter to extend the principle and to engraft upon it any improvements which time and experience may suggest. But those who wish to supersede the magistrates entirely, as an elective body, must remember that before doing so they are bound to show that there has been some failure—or want of efficiency—in their administration. Every inquiry has resulted in a conclusion precisely contrary; and I therefore believe that we are doing that which is just as well as wise in preserving the present system of administration, and endeavouring to strengthen instead of to subvert it. I do not wish to deceive the House by professing to believe that any great changes — any vast reductions of expenditure — will follow upon this legislation. What I do believe is that a grievance—partly sentimental, no doubt, but none the less for that a grievance—will be removed—that a good understanding will be promoted between the magistrates and the rate-payers, and that without imparing the efficiency of the existing system we shall add to its vitality and increase its popularity; that is the intention of the measure which I ask leave to introduce, and believing that it will be one of practical utility and will satisfy a demand which Parliament is bound to satisfy, I respectfully submit it to the consideration of the House.

Motion made, and Question proposed, "That leave be given to bring in a Bill to establish County Financial Boards."—(*Mr. Knatchbull-Hugessen.*)

Colonel WILSON-PATTEN said, he could not allow the opportunity to pass, without bearing his testimony to the correctness of the description given by the hon. Gentleman, as to the view taken by the Committee over which he (Colonel Wilson-Patten) presided last Session. That Committee had been unanimous upon two points—the first being that in every part of the country there existed a desire among the rate-payers to have a greater control than they had at present over county financial matters; and the second being that that desire was called forth by what was regarded as a constitutional right, rather than by any extravagance resulting from the operation of the present system. After a careful investigation into the facts, the Committee had arrived at the conclusion that it was almost impossible that the affairs of the English counties could be managed more efficiently or more economically than they were at present. In the county of Lancaster — of which he might say he was not a magistrate, and, therefore, he spoke disinterestedly — financial matters were managed in the most economical manner. He agreed with the hon. Member that, whatever change was effected in this matter, greater economy of administration was not likely to result from it. He had come to the conclusion that the anxiety for a change existed to the greatest extent in those counties where, unfortunately, the magistrates did not publish their accounts in sufficient detail. Wherever those accounts were published in great detail there was very little dissatisfaction, although the finances were administered in much the same manner as in those counties where the conduct of the magistrates was open to the freest criticism. He had not exactly understood the proposal of the hon. Member with regard to expenditure for the police and the gaols; but he should vote for the second reading of the Bill, because he believed it was based very much on the Resolutions of the Committee, although not in all particulars. He should reserve any observations on the details of the measure until the Bill had reached another stage. There was a difference of opinion, as to the mode in which County Boards should be constituted, and there was a general feeling that it was not desirable to have them exclusively composed of rate-payers, but that the magistrates should have a large interest in their management. It would, no doubt, be unfortunate, if these Boards were so constituted as to discourage the magistrates from taking part in them.

Mr. BARROW said, he was glad to find that they were recognizing the principle that, in county finance, taxation and representation should go together. He had been acting for three years on the assessment committee of a union, which committee was composed of selected guardians and magistrates, and no differences had arisen between the two classes of members. He was convinced, therefore, that the plan proposed in this Bill would work well. He thought, however, that the Committee would be a great deal too large. He believed that one member from each moderate sized union and two members from each large union, with an equal number of magistrates, would be quite sufficient. He would suggest, also, that the Boards of Guardians should not be limited in their choice to elected guardians, but that, if they chose to do so, they should be at liberty to send *ex-officio* guardians to represent them on the Committee. With the right hon. and gallant Gentleman (Colonel Wilson-Patten), he did not think there was any prospect of much additional economy, but he did think there was every prospect of additional satisfaction to the rate-payers.

Dr. BREWER said, he was of opinion, from his experience as chairman of a body constituted in the manner which it was proposed to constitute the Committee, that the two classes of members would work together harmoniously. He did not think that the largeness of a consultative body was any objection to it. For special purposes the Committee delegate executive functions to a portion of the body.

Mr. ASSHETON CROSS said, he did not think the magistrates would have, or ought to have, the slightest jealousy on the subject of guardians being united with them for the purposes stated by the hon. Gentleman the Under Secretary. Magistrates, as magistrates, had nothing to do with county finance. The power they had in this matter was conferred on them by the representatives of the people in Parliament. They had it under statutes passed by Parliament. They were responsible to the country for the discharge of certain duties in connection with gaols and lunatic asylums, and if all control over matters of finance in connection with those institutions were put into totally irresponsible hands the magistrates would have reason to complain; but, as he understood it, the proposition of the Government was to unite a certain number of rate-payers with the magistrates in a sort of separate sessions for county financial business. He did not think that the plan would lead to retrenchment, because he believed that in boroughs retrenchment had not resulted from placing financial control in the hands of rate-payers; but he approved the proposition for a regular audit and publication of accounts. Even in cases where expenditure was low there was public dissatisfaction when there was not such an audit and publication; while in cases where it was high, but in which there was a regular audit and publication of accounts, there were no complaints. Borough accounts were under the control of persons elected by the rate-payers, and the magistrates had nothing to do with them, and yet he believed a comparison would show that, all things considered, the borough expenses were proportionately greater than those of the county. He desired to ask the hon. Gentleman some questions more particularly relating to the county which he represented. Owing to the size of that county, Courts of Quarter Sessions were held in four different places, but under the local Act the county expenditure was regulated at an annual sessions held for the whole of the county. This was felt to be a great inconvenience, and he should wish to know if any remedy would be applied under this Act. There were also, he believed, as many as thirty distinct sets of rate-payers, rates for certain purposes being collected for the whole of the county, for other purposes from certain subdivisions and so on. Four large boroughs, moreover, had Quarter Sessions of their own. He should be glad to learn how the hon. Gentleman proposed to deal with these conflicting interests, and to make them all work under this Bill.

Mr. HUNT said, it used to be a maxim of undisputed wisdom — leave well alone; but now they seemed determined not to leave very well alone, for a change was advocated from both sides of the House. He was not surprised, however, at the Government taking action in this matter, nor could he blame them, because, after the Report of the Committee which had been referred to, they could hardly avoid taking some step in the matter. But he believed that the cry of the rate-payers for a change arose from their not being fully informed as to the conditions under which the magistrates administered the county finance. As his hon. Friend had mentioned, that part of the expenditure which was under the discretion of the magistrates was very small indeed, and if the rate-payers were made fully acquainted with the Acts of Parliament that rendered certain portions of the expenditure absolutely necessary, and what portions of it were under the magistrates' discretion, he believed the cry for a change would sink to almost nothing. His belief was that rather than County Finance Boards should be created for the control of that part of the county expenditure that fell within the discretion of the magistrates, it would be better to collect the county rate and the poor rate separately, and to allow the tenant, on paying the former, to deduct it from his rent. He thought it a fair demand that those who contributed towards the taxation should have a voice in its expenditure; but it should be remembered that though the rates were in the first instance paid by the tenant, they really fell upon the landlords, so that the brunt of the rates was, in reality, borne by those who imposed them. That fact was not sufficiently acknowledged by those who were now so clamorous that the rate-payers should be represented. However, he had no doubt that there was a great desire in the counties for change, and he was therefore not surprised that the Government should have brought the matter before the House. At the same time he thought his hon. Friend would find greater difficulties in his way than he imagined. It was proposed that the magistrates should continue to visit the gaols, but the Financial Boards were to have a control over their expenditure. But suppose the Visiting Justices should think it necessary that a certain expenditure was necessary, either for the health of the prisoners or for their safe keeping, in might step this Board and decline to allow the expenditure. So with regard to the police. The magistrates were responsible for the peace of the county, but they might think that a certain number of police of a certain class were required—and the class regulated the pay—in might step this Board and decline to find the money for the purpose. He did not doubt the possibility of the magistrates and rate-payers working harmoniously together, for they did so now when sitting together on Assessment Committees and Highway Boards. But one objection which he had to his hon. Friend proceeding to carry out his view this Session had been to a certain extent anticipated by his hon. Friend himself. The Government appeared to have been acting too departmentally in reference to the machinery which was to be employed; there seemed to have been no concert between the different Members of the Government on this point. Some years ago one machinery was adopted for the Highway Board; at a more recent period they had adopted another for the Assessment Committee; while there was another in the Valuation of Property Bill, which was now awaiting its second reading—that Bill proposing the formation of a county body, consisting partly of magistrates and partly of rate-payers who were not on the bench. And now in this Bill his hon. Friend proposed still another county Board, also to be composed partly of magistrates and partly of rate-payers which were not on the bench. A short time ago, too, when a Motion of his hon. Friend the Member for North Devon (Mr. Acland) was before the House, the right hon. Gentleman the First Minister of the Crown undertook that the whole question of local taxation should receive the early attention of Government. He would, therefore, ask whether it was statesmanlike or wise that the Home Office should nibble at one part of this question and the Poor Law Board at another, when the right hon. Gentleman the Prime Minister had promised that the whole subject should receive the early attention of Government. Was it worth while to erect a County Financial Board to control the small portion of the county finances which could be submitted to their management, and if it was wise to do so, might not the duty be intrusted to the Board which was to be erected for the purposes of valuation? Then it should be remembered that local taxation could not long continue on the principle now adopted. It was only last Session that the Secretary of the Treasury proposed that the rates should be collected together; and if that plan were to be adopted, would it not be premature to introduce a Bill to set up a new machinery, involving much expense and change merely for the purpose of administrating one portion of the consolidated rate? He should not object to the introduction of the measure; but he thought it would be better, especially bearing in mind the fact that the Valuation Bill was in progress, that his hon. Friend should content himself with laying it on the table of the House, and not for the present press it further.

Mr. HIBBERT said, the County Financial Boards were intended to take the position of the magistrates in the levying of rates; and as the magistrates had the power of assessing the county rate, he thought the County Board might very properly be made a Board for the purpose of carrying out the assessment of the counties. Having sat upon the Committee, he could confirm the statement of the right hon. and gallant Gentleman (Colonel Wilson-Patten) as to the strong opinion entertained in favour of establishing County Financial Boards. Formerly these representations used to come from the large towns, but recently they had proceeded chiefly from the rural districts. This feeling, which appeared to have been promoted by the Chambers of Agriculture, was based upon the opinion that it was only right and fair that taxation and representation should go together in counties as they did in other parts of the country. Many difficulties would arise, especially in transferring the management of the police and gaols to these joint Financial Boards. Similar difficulties had already arisen in some large towns, where the Visiting Justices had the power of managing the gaols, but where the financial details were under the control of the Town Councils. In one case the Visiting Justices proposed to give certain pensions to the warders, which the Town Council refused to grant, the result being that there was for some time a doubt whether the Justices would consent to continue the management of the gaols. Another question was whether the boroughs, that managed their own police and gaols, were to have a representative on the County Board. Whatever course might be taken on these matters, he doubted whether any considerable reduction would be effected in the county expenditure by the change. It was not the opinion of the witnesses before the Committee that any such reduction would be made. The idea in their minds was that if they paid the rates they ought to be represented. He should like to proceed cautiously and gradually, giving the lunatic asylums and county bridges and other items relating to the whole of the county to the new Board, and retaining the management of the prisons and gaols, for the present, in the hands of the magistrates.

Mr. BRUCE said, he had listened with great satisfaction to that discussion, not only because he thought there was a general approval of the principle of the Bill, but because he thought the chief objections urged against it were capable of being satisfactorily solved. In the first place, the right hon. Member for North Northamptonshire (Mr. Hunt) had made a mistake in supposing that the choice of the Boards of Guardians was in any way limited. It was free to them to choose any member that they pleased, whilst, with regard to the questions raised by his hon. Friend the Member for South-west Lancashire (Mr. Cross), he believed that both of those difficulties had been met. As to the boroughs which had their own Quarter Sessions and the management of their own gaols and police, they would be excluded from participation in the County Board. The Report of his right hon. and gallant Friend the Member for North Lancashire (Colonel Wilson-Patten) suggested that there should be a County Financial Board, consisting of the magistrates and representative members in equal proportions, who should have the complete power to deal with a certain portion of the finances of the county, but who should not have power to deal with the gaols and police. The gaols and police, however, formed a very large subject indeed, and it seemed to him that if they could frame a scheme by which that expenditure should come under the consideration of the representative body, yet be left ultimately to the magistrates, so far as the decision in expenditure for which they were themselves chiefly responsible went, they would really have solved the difficulty. They purposed, therefore, that a certain number of elected representatives should unite with the magistrates in forming committees for the consideration of the different subjects, and that these committees should be composed of an equal number of magistrates and elected members. The ultimate decision of these questions would, however, be referred from the committees to the general court consisting of the magistrates and those united with them, and as the magistrates would be in a majority there would be no danger of their due influence in those matters to which reference had been made being overruled. His hon. Friend the Member for Oldham (Mr. Hibbert) would therefore see that in all the important matters in reference to the gaols and the police it would be in the power of the magistrates to over-rule, in case of necessity, the decision of the committees. On the other hand, the whole of the expenditure of the county would be submitted to the body, and they thought that this advantage compensated the disadvantage of the magistrates being able, under certain circumstances, to overpower the representative body. He agreed in the opinion that no very great reduction would be gained by the Bill. The increased expenditure under the county rate had been too often attributed to lavish outlay on the part of the magistrates. It had, however, been in a great degree forced upon the magistrates by improved prison discipline, an improved treatment of lunatics, and by the other demands of a higher state of civilization. A much greater regard for economy was manifested, however, in some counties than in others, and the voice of the representative members in such matters would make itself usefully heard. The great object of the Bill was, however, to satisfy what was a very strong and growing demand on the part of the counties —expressed at every Board of Guardians

—that they should know how the county expenditure was managed, and that they should have a voice in that expenditure. He believed that demand to be fair, moderate, and just, and it was his opinion that it would be satisfied by that Bill.

Mr. HENNIKER-MAJOR said, that although a member of the Select Committee which sat last Session on this subject, he did not intend to enter into the question now; whether this measure ought or ought not to be a part of a general measure on the subject of local taxation, or to offer any opinion on the provisions contained in it at the present stage of the Bill, but he must express his thanks, and he believed that many other hon. Gentlemen who agreed with him in the views he took on the subject, on his side of the House, would join with him in thanking the Government and the hon. Gentleman (Mr. Knatchbull-Hugessen) for bringing forward a measure which seemed to him likely to lead to a satisfactory settlement of the question. He was speaking as one of those who thought that representation and taxation ought to go together in this matter. He rose, however, principally for the purpose of asking the hon. Gentleman—and he did so not only in the interest of those who up to the present time had had the management of county finances, but also in the interest of the rate-payers who were to be admitted by this Bill to a voice in this management—whether, taking into consideration the importance of the subject, he would take steps to have the Bill printed and circulated without delay, and postpone the second reading for three weeks or a month, perhaps till the second week after Whitsuntide, so that the Bill might have the full consideration of those affected by its provisions before it came on for second reading.

Mr. KNATCHBULL-HUGESSEN said, he hoped that in two or three days the Bill would be in the hands of hon. Members. He proposed to take the second reading on the 3rd of June; but if that interval would not afford sufficient time for consideration, he should have no difficulty in still further postponing the second reading.

Question put, and *agreed to.*

Bill *ordered* to be brought in by Mr. Knatchbull-Hugessen, Mr. Secretary Bruce, and Mr. Arthur Peel.

Bill *presented,* and read the first time. [Bill 119.]

WITNESSES (HOUSE OF COMMONS).

MOTION FOR A COMMITTEE.

Mr. W. M. TORRENS, in rising to move the following Resolution:—

> "That whenever any person shall have been called upon by order of this House to give evidence in support or in disproof of any allegation of fact set forth in a Bill of Disability or of Pains and Penalties, it is desirable that such person should be examined on oath, or upon such solemn affirmation as may be most binding on his conscience,"

said, that, yielding to the suggestion of many Members on both sides of the House, he should conclude by asking permission to add to the terms of his Resolution the following words:—

> "And that a Select Committee be appointed to consider and report on the best mode of carrying this object into effect."

He did so because he was satisfied the question would rather ripen by time and further consideration. They had reason to congratulate themselves on having just escaped from the necessity of dealing with a painful question in the nature of a Bill of Pains and Penalties, and he hoped it would be a long time before they had again to consider the question. But it was only when the necessity of a change forced itself on the attention of Parliament that there was any disposition to make practical alteration in their established usages. Hence it was that not many hours ago the most thoughtful men amongst them were anxiously pondering what it might be their duty to do when called upon to vote judicially upon a question of grave importance without the advantage of having before them witnesses on oath whose testimony they considered essential to the formation of an opinion. He found no one who could account for the anomaly that existed between the practice of that and the other House of Parliament. The other House of Parliament always claimed and exercised the right of administering an oath to the witnesses examined at their Bar. It was impossible, in the judgment of many, except by an oath, to search the conscience of a witness suspected of unveracity. He was aware that his hon. and learned Friend the Member for Tiverton (Mr. Denman) was of opinion that they might dispense altogether with the form of swearing witnesses; but so long as every court in the realm acted on the principle that an oath was a useful means of searching testimony, he thought that the House ought to insist on being upon an equality with the other House of Parliament in this matter. They had sometimes sent their witnesses to be sworn by the county magistrates; they had also sent their witnesses to be sworn at the Bar of the House of Lords; but that was a humiliation on the face of it. If the House declared that the practice ought to be changed, it would be the duty of the Government to bring in a proper measure, and carry it through both Houses; or if the House agreed to refer the question to a Select Committee, and that Committee reported that a change was desirable, the Government would, no doubt, carry that report into effect. They might proceed either by Standing Order or by Bill. He believed the House had the inherent power of administering an oath to witnesses at the Bar, and might exercise it under Standing Order; but if a Bill were brought in and sent to the other House he should be greatly surprised if that House refused to pass it. The House of Lords had on several occasions exercised its right to change its mode of proceeding, by passing a Standing Order. In 1695 the right of voting by proxy on Private Bills was put an end to in this manner, and within their own recollection the Peers, after due deliberation among themselves, passed a Resolution, which had all the binding efficiency of a law, that proxies should in no case any longer be received. These, it might be said, were instances of an exercise of authority, only as regarded their own forms of procedure, and in no way calculated to affect the rights and privileges of persons who were not Members of their Lordships' House. But in the case of Lord Wensleydale they exercised the power of refusing to admit him as a life Peer, though he held a patent from the Crown. And this they did in accordance with a Resolution, declaratory of the power and right of the House by its own inherent jurisdiction, without the consent of either Crown or Commons, to say what manner of persons should be of their House, and who should be excluded. He thought it was manifest that this was a much higher stretch of privilege than it could possibly be said to be, if the House of Commons should think fit to declare that they possessed the right to order a witness to be sworn at their Bar. But he did not wish to press that question on the present occasion. Whether by Standing Order or by Bill, he believed the general feeling was that they ought to possess, and, on suitable occasions, to exercise equal powers with those which they acknowledged in the House of Lords. It would be for a Committee comprising persons of experience and learning on either hand of the Speaker to consider how best this power might be asserted, and within what limits, if any, it ought to be placed. An hon. Friend near him (Sir John Esmonde) had given notice of his intention to move for leave to bring in a Bill on the subject. It was no disparagement of his hon. Friend to say, that it hardly lay with a private Member of ordinary weight and influence to attempt the carriage of a Bill of this nature; and he doubted whether, under any circumstances, the House would be induced to sanction a constitutional change so grave, and so important without first taking the advice of a Select Committee. If the Report of such a Committee recommended the alteration, it would then be the duty of the Executive Government to frame a suitable measure for the purpose of carrying the recommendation into effect. The hon. Member concluded by moving his Resolution.

MR. LIDDELL in seconding the Motion, observed that it was only reasonable that the House should seek to enjoy itself that power of examining witnesses upon oath which it conferred upon its Committees. He thought the proposal a very moderate one. It was that a Committee be appointed to consider the circumstances under which this House ought or ought not to examine witnesses on oath. It appeared to him that when the House conferred on their Committees up-stairs the power of examining witnesses on oath—in other words, gave them power to use an instrument for ascertaining truth, and when it was remembered that in former days the witnesses examined before the Lords' Committees on oath gave evidence contradictory and even antagonistic when examined before the Commons' Committees not on oath, the necessity of the present proposal was fully established.

Motion made, and Question proposed,

"That a Select Committee be appointed to consider the best means of providing for the examination of Witnesses upon Oath by the House of Commons, and its Committees."—(*Mr. Torrens.*)

MR. VERNON HARCOURT said, he entirely concurred in the object of the hon. Member for Finsbury, but he expressed a hope that it would never be attempted to confound legislative with judicial functions. He could not conceive anybody more utterly unfit to conduct judicial investigations on facts than that House. He should not have risen on the present occasion if he had not desired to call the attention of the Government—and particularly of the Attorney General for Ireland—to a point which had arisen in the course of the transaction which to-day they had been most happily delivered from, he trusted for ever. The Attorney General for Ireland, in calling on the House to enter into an investigation respecting that matter, stated that that was the only course he could pursue at the time, because he could not institute a prosecution for the use of seditious language in Ireland with any hope that the case would be tried before July, or, in all probability, before November. Such an announcement coming from the mouth of the Attorney General for Ireland was one of which the House of Commons should take notice. He should ask the House what it was called upon to do. They were called upon practically to try a man at the Bar of that House because it was a shorter, more convenient, and summary method than could be adopted in the ordinary courts of the country. Was not that, coming from so high an authority, a satire well founded upon the criminal jurisdiction of this country? They ought not to be called upon to try such questions as these, simply because the proceedings in our criminal courts were so dilatory as to amount almost to a denial of justice. He did not object to the proposal to give to the House the power of administering oaths, because there might arise in future questions for which no provision was made in the ordinary courts of law, and as *salus reipublicæ* was the *suprema lex*, it was most desirable when such cases arose that the House of Commons should have the power of administering oaths; but he trusted that the House would never be called on to administer an oath judicially in a case capable of being tried in the ordinary courts of this country. Measures ought to be taken to prevent the necessity of an Attorney General asking the House to try a question because the course of proceeding in the ordinary courts of justice was in such a discreditable condition that an *ex officio* information deemed necessary for the preservation of public order could not be tried till July or November, though the offence was committed in May.

MR. NEWDEGATE said, he would like to know how many Bills were passed which were not Bills of Pains and Penalties. Last year the House abolished their privilege of trying election petitions, with regard to which they had the power of examining witnesses on oath. Now they were proposing to travel into unnecessary danger. They were proposing to take to themselves power which, in a period of general excitement, would constitute the House a court of criminal jurisdiction. There was this other defect in the present state of matters, that there was no other official exercising magisterial functions but the mayor, who could not be displaced by the law for misconduct. He thought it was a very great anomaly that a mayor should be exempt from the law in the event of his abusing his judicial functions. In the City of London there was a distinct and a most valuable security, which was that no man could be elected Lord Mayor until he had served as an Alderman, and his brother Aldermen, therefore, had some knowledge of his qualifications before they elected him; but this was not necessarily the case in the election of other mayors. He would earnestly request the House to limit itself to acquiring for Committees on special subjects the power of swearing witnesses.

THE ATTORNEY GENERAL FOR IRELAND (Mr. SULLIVAN) said, it was not his intention to enter upon the general question, which had been before the House at an earlier period that day. He must remark, however, that he did not believe any proceeding known to the criminal law would have been adequate to that particular case, and the proposal of the Government was, in his opinion, the only one which could meet the difficulty. The hon. and learned Member for Oxford (Mr. Harcourt) was entitled to the thanks of the House for bringing under its notice a matter of great moment connected with *ex officio* information in the Court of Queen's Bench in Ireland. He was not acquainted with the practice in England, but in Ireland informations were subject to great delay by reason of antiquated rules that ought to be obsolete. The matter must be brought under the notice of the House with a view to its being remedied, and he certainly should consider it with the greatest care.

SIR JOHN ESMONDE, who had given notice of his intention to ask leave to introduce a Bill to enable the House of Commons to examine witnesses upon oath, said, that until the hon. Member for Finsbury had risen he was unaware that he had meant to alter the terms of his Motion, and to move for a Select Committee without having given notice. However, the Government had now agreed to that Motion, as modified by the Prime Minister, and he should not have risen but for the remark of the hon. Member for Finsbury that such a Bill had no chance of passing in the hands of a private Member. That statement had caused him some surprise, and the hon. Member must have changed his opinion on the subject very recently, as but a very short time back—certainly within a few hours—he (Sir John Esmonde) might have had the advantage of having the hon. Member's name on the back of his Bill.

MR. GLADSTONE said, they were indebted to the hon. Member for Finsbury (Mr. Torrens), and the hon. Member who had just spoken for having taken steps to establish, in a formal manner, the conviction of which they were all conscious when they came to deal with the case lately before them. The Government were conscious of it when they proposed a particular mode of proceeding, and still more so were others who thought the defect in their judicial powers, arising from their supposed inability to administer an oath, constituted a conclusive reason against the initiation in that House of a Bill of Pains and Penalties. Therefore it behoved them well to consider whether this was not a case that called for some remedial measure, and what kind of remedial measure they ought to adopt. He did not feel any doubt that something ought to be done. The precedents of Bills of Pains and Penalties and Disabilities introduced into this House were by no means few nor insignificant; and everyone must admit, without argument, that in the prosecution of such Bills it was eminently desirable, if not absolutely necessary — which would, perhaps, be putting it too high—that they should have the power of examining witnesses upon oath, and that they should not depend exclusively upon the Resolution they passed annually in defence of their own authority, that—

> "If it should appear that any person has given false evidence in any case before this House or a Committee thereof, the House will proceed with the utmost rigour against such offender."

No doubt that was a provision fortifying the character of the evidence given before the House and its Committees, but they must feel, and it was generally admitted, that something more was desirable. Three modes of procedure suggested themselves—a Resolution, a Committee of Inquiry, and a Bill; and it appeared to him that a Committee was best adapted to the case, and most conformable to precedent. If it were desirable that witnesses should be examined on oath, the first question was, whether the House had authority so to examine them by its own proper action without resorting to any higher assistance. He was very far from making that assertion, but still, if they were to proceed upon the direct negative of that proposition, it was desirable the negative should not be a mere matter of opinion, but that it should be established by the inquiry and by the judgment of a Committee. If a Committee determined that the House was or was not in a condition to administer an oath by its own authority, that was a step towards the solution of the question. Other questions most important to be examined, and which might be more conveniently examined by a Committee than by discussion in the House, were these—whether the power of examination on oath was to be taken universally, and, whether, if taken universally; it was to be taken with the intention of using it universally, or only with the intention of using it in certain cases; and, further, whether an attempt should be made, as was made in the Resolution in the form in which it was put upon the Paper, to define, by general words, the class of cases in which it was intended to use the power; or whether, rather it should be a power put into the hands of the House to use from time to time, and to determine by vote or by Resolution of its own to what particular case, or class, or class of cases this power should be applied. All these were very fit matters to be examined into by a Committee. If they were to refer the matter to a Select Committee it would be desirable to refer it without prejudice, and not to use words which would go so far as to assert, even though their judgments might lean in that direction, that it was desirable they should examine witnesses upon oath. He would propose, instead of the Resolution of the hon. Member for Finsbury, to substitute the following:—

> "That a Select Committee be appointed to inquire into the expediency of adopting any further measure for the examination of Witnesses upon Oath by this House or by its Committees."

He said "any further measures" because by various statutes measures had been adopted and powers granted for the examination of witnesses upon oath, and it would be to the extension of that system such words would be understood to refer.

Mr. W. M. TORRENS said, he should be glad to withdraw his own Resolution, and adopt the words suggested by the right hon. Gentleman.

Mr. HENLEY approved the amended Resolution, and said this was a very grave question to bring on at one o'clock in the morning. It was better that the Committee should inquire into the whole question, because it would then be open to them to consider—what the House had no opportunity of considering now—what had been the objections raised hitherto to the House itself administering an oath. It would be a grave matter if it should turn out on inquiry that the House had not the power by its own inherent authority to administer an oath, and they would have to obtain that power by the consent of the other branch of the Legislature.

Motion, by leave, *withdrawn.*

Select Committee *appointed,* "to inquire into the expediency of adopting any further measures for the examination of Witnesses upon Oath by this House, and by its Committees." — (*Mr. Torrens.*)

And, on June 8, Committee *nominated* as follows: — Mr. DISRAELI, The LORD ADVOCATE, Mr. HENLEY, Mr. ATTORNEY GENERAL for IRELAND, Mr. WALPOLE, Mr. BOUVERIE, Mr. GATHORNE HARDY, Mr. Serjeant KINGLAKE, Colonel WILSON-PATTEN, Mr. BONHAM-CARTER, Mr. HOWES, Sir JOHN ESMONDE, and Mr. TORRENS:—Power to send for persons, papers, and records; Five to be the quorum.

Mr. Gladstone

GAME LAWS (SCOTLAND).

NOMINATION OF COMMITTEE.

Mr. LOCH moved that the Select Committee on the Game Laws (Scotland) do consist of eighteen Members—The Lord Advocate, Lord Elcho, Mr. Hardcastle, Sir John Hay, Sir Robert Anstruther, Mr. Cameron, Mr. Whitbread, Sir Philip Egerton, Mr. M'Combie, Sir Graham Montgomery, Mr. M'Lagan, Major Walker, Sir Edward Colebrooke, Mr. Dalrymple, Mr. Parker, Mr Orr Ewing, Sir David Wedderburn, and Mr. Loch.

Motion made, and Question proposed, "That the Select Committee on Game Laws (Scotland) do consist of Eighteen Members."—(*Mr. Loch.*)

Sir JAMES ELPHINSTONE rose to move, as an Amendment, that the Order be discharged, and that an humble Address be presented to Her Majesty to appoint a Royal Commission to enquire into the subject and report. The Game Laws, as everybody knew, had been a fruitful source of discontent for many years past, and many expedients had been tried for the purpose of removing the difficulties to which they had given rise; but the expedient of a Royal Commission had never yet been tried. It had been reported that a Commission sat on this subject in 1844; but that was not the case. A Committee was appointed on the 27th February 1845, which asked 17,718 questions and then adjourned. They continued their labours next Session, and they asked 7,885 more questions, so that the actual state of the case was this—that 25,000 questions had been asked and answered on the subject of the Game Laws. Upon the Report of that Committee certain modifications were made, and things went on very comfortable for something like twenty years, but at the end of that period the agitation was renewed. Last year there were two Bills, and they were referred to a Select Committee; but nothing came of it. Now there were three Bills before the House, and it was proposed to refer them to a Select Committee. [Mr. LOCH said the proposition was not to refer the Bills, but the whole subject to a Committee.] Now, what he proposed was that Her Majesty should be addressed to refer the whole question to a Royal Commission. His reasons for doing so were briefly these. The examination of the question before a Committee of the House of Commons involved the bringing of witnesses up from the country. The evidence was not allowed to be printed from day to day; and at the end of the inquiry the whole facts were digested into a large volume, which cost some 7*s*. 6*d*. at least, and which, in the case of these 25,603 questions cost something like 10*s*. or 12*s*. Nobody had ever read it, and for himself if he were offered the alternative of reading it through or taking a black-dose, he would prefer the black-dose. On the other hand a Royal Commission would go down into the country, take evidence on the spot, confront the witnesses with their neighbours, and if it was alleged that a district was eaten up by hares and rabbits, they could get into their gigs and go and judge for themselves; then there would be reports in the local papers, the statements would be thoroughly sifted; and you would get a mass of evidence more trustworthy than could ever be gathered by a Committee sitting in an up-stairs-room in Westminster. The question was a most serious one. It was a question that had created bad blood between landlords and tenants, where men had lived in comfort and affection, and their fathers before them, for 200 years. His own family for 300 years had been on the most friendly terms with their tenantry until this question arose. The Commission ought not to be a family coach. It ought to be a Commission in which everybody had confidence, and its head ought to be some such man as Lord Dalhousie. The hon. Member concluded by moving the Amendment.

MR. ROBERTSON, in seconding the Amendment, said, he believed that nine-tenths of the people of Scotland were in favour of a Royal Commission. He had been blamed for having, on a former occasion, moved the adjournment of the debate; but the Motion for a Select Committee was brought on very unexpectedly, and all he desired was to have a fair discussion. On this subject he came into court with clean hands, for he had never sold a head of game in his life, nor had he ever had a great battue on his estate, and for the very best reason—that two of his friends had their eyes shot out. Moreover, whenever he did go shooting he always gave half the game to the tenant on whose lands he shot it, and there was not a single man amongst them who did not make him welcome. In the county which he had the honour of representing, there was no such thing as ill feeling between the landlord and tenant, and no difficulty whatever arose with respect to this question. They might depend upon it that it was a question which never could be settled by legislation. It was a question entirely of good feeling between the landlord and tenant. They were told that in England the landlord had not the game by law, as in Scotland. But was not the game always reserved to the English landlord in every lease? Practically, the law was the same in England and Scotland, or might be made so. With regard to rabbits, the difficulty was this—that if you gave them over to the tenants they would probably employ rabbit-catchers, and then there would not be a fox left in the country. He did not mean to say that the people meant to kill the foxes, but it required a very talented man to use a trap which should catch only what it was set to catch. Rabbit-catchers were a source of great misery to masters of hounds, and if the tenants got this power of killing rabbits unscientifically, hares and foxes would go as well. A Committee was appointed last year to consider this question, but what was the result? Why, when the hon. Member brought forward his Bill, it was scouted by the whole country. What would be the result of the appointment of a Committee now? A Committee could not sit during a prorogation. What he suggested was, that if they appointed three gentlemen to investigate the subject, their labours would be far more likely to produce a useful result than if they appointed a Committee of the House, who could only make a Report with which nobody would be satisfied.

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "the Order for the appointment of the said Select Committee be discharged,"—(*Sir James Elphinstone*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Lord ELCHO said, he quite agreed with what had fallen from the hon. Member for Berwickshire (Mr. Robertson), that the fox might be considered as a social good as the hare was a social evil. It seemed to him, indeed, that Scotch legislation on this subject was as prolific as the rabbits it dealt with. First, he (Lord Elcho) brought in a Bill, then the hon. Member for Linlithgowshire brought in one, and two months afterwards the hon. Member for the Wick Burghs brought in another. But it was a question of too extensive action to be taken up by private Members at all—it was one that could only be fitly dealt with by the Government. But it might be said the Government were in favour of referring the subject to a Committee. Now he (Lord Elcho) had a strong feeling in favour of Commissions and against Committees. Give Professor Owen a bone or two, and he would construct the entire animal. Give him (Lord Elcho) the names of a Committee, and he would write their Report beforehand. It would happen in this case, as happened in the Law of Hypothec Committee. Nine Members agreed to their Report, and four dissented—a Bill was brought in, founded on the Report of the nine; it utterly failed—and why? Because the four represented the real feeling of the country. Now, this was a question on which the Scotch people felt as strongly as on the Law of Hypothec; and a Committee on the Game Laws would fail as that Committee failed. What was wanted was not a representative Committee, but a Commission that should inquire into and report facts. The same course should be followed in this instance as was followed with respect to the Scotch Education Bill, which was founded upon the Report of a Commission. The evidence upon which that Bill rested was mainly obtained by Commissioners, who ascertained matters of fact. They appointed certain gentlemen to inquire into the subject, and the instructions given to them were to bear in mind that their duty was to investigate questions of fact, and to report them. He thought they would do well to follow this precedent in the case of the Game Laws. If they appointed a Committee they could not commence their inquiries before Whitsuntide; they would not have more than eight or ten weeks before the end of the Session, and no Member could give up more than one day a week to attend, so that the Committee could not possibly report this Session, even if the House sat over the 12th of August. On the other hand, a Commission could sit during the whole vacation, and their Report would be ready for legislation next Session. The course, therefore, which he would recommend was, that they should follow, to a certain extent, the precedent of the Educational Commission, and appoint one or two gentlemen to whom they should intrust the conduct of the inquiry; and they should be empowered at once to go into the matter and report upon it. He therefore trusted that the Order for the appointment of the Committee would be discharged.

Sir ROBERT ANSTRUTHER said, that the appointment of a Committee had been sanctioned by the leading Members on both sides of the House, and he had attentively listened to the arguments why a Commission would be preferable. The only reason he could find was, that those who preferred the Commission did not like the complexion of the Committee when they saw that it was to be chiefly composed of men who were *bonâ fide* desirous of a reform in the Game Laws of Scotland. ["No, no!"] When it was found impossible to proceed with the three Bills it was agreed that they should be referred to the same Committee. He (Sir Robert Anstruther) had fully agreed to this, thinking that a Committee investigating the whole subject could deal with it far better than a Commission going roving about over all Scotland. He trusted the Government would support the appointment of the Committee, which had been agreed to by the front Benches on both sides.

Mr. PEASE said, the question was far too important to be settled at that time of the morning. It was not a Scotch question merely—there was no reason why the inquiry should not extend to England. He moved the adjournment of the debate.

The Motion not being seconded, it was not put.

Mr. CARNEGIE said, that the Scotch Members had been accused of a desire to shelve this question either by the appointment of a Select Committee or of a Commission. But this was unjust. No one not acquainted with the forms of business in that House could have any idea of the difficulty a private Member had in obtaining an opportunity for the full discussion of any subject. It seemed to him that it was hopeless to attempt to have a full discussion on this subject, and they were, therefore, reduced to the alternative of a Select Committee or a Commission. He was himself indifferent as to which; but his objection to a Commission was this—a Commission must either be fixed sitting in Edinburgh, or it must be a Commission roving about the country. Now, he did not think a Commission sitting in Edinburgh could investigate the matter better than a Committee of that House; while, on the other hand, if there was to be a roving Commission, he thought it would be perfectly impossible to secure the object they had in view. There was also another reason why a Committee should be appointed, and that was that they might conclude their labours this year, which he did not think a Commission could possibly do.

MR. SINCLAIR AYTOUN said, he agreed with the hon. Gentleman (Mr. Carnegie) that it was a matter of little importance whether it was a Commission or a Committee that inquired into the subject—both would be equally useless for practical purposes. The only question of importance was, what was to be the conduct of the Government? If the Government had wished to have settled that question, they might have done so during the present Session; but the Lord Advocate said that it was not expedient that the question should be taken up. He (Mr. Carnegie) now wished to know if any Member of the Government, speaking on behalf of the Government, would give them the assurance that the question would be taken up at the beginning of next Session—that was the important point.

MR. LOCH said, that what they had to decide was as to the manner in which it would be best to conduct an inquiry into the Scotch Game Laws—whether it would be best by a Committee or by a Commission. It appeared to him that much more was to be said in favour of a Committee than of a Commission. A Commission would necessarily have to move from one part of Scotland to another. They would have to go into many districts where feelings of a very keen character existed upon the subject of the Game Laws. Their inquiries would be held in the Sheriffs' Courts, and there would be in attendance the landowners and their factors. He put it, therefore, to the House whether the tenants would speak in the open manner in the presence of their landlords which they would do if they were in the Committee Room of the House of Commons. He thought that the evidence taken by a Committee of the House of Commons would be much the more trustworthy.

MR. ELLICE said, he did not consider that this was a question which affected the tenantry of Scotland alone, but in his opinion it affected the tenant-farmers of England as well, and any inquiry into the subject would be incomplete that was not of an Imperial character. He perfectly agreed with his hon. Friend (Mr. Aytoun) that a Commission or a Committee was of very little consequence. He hoped that they would get an assurance from the Government that on an early day next Session they would be prepared to deal with this question. But he did not think that the debate should be continued at that late hour, and he would move that the debate be adjourned in order to afford the Government an opportunity of considering what they ought to do.

MR. R. W. DUFF seconded the Motion, saying that the proceedings at a recent meeting at Edinburgh proved that the tenant-farmers of Scotland were not that brow-beaten body of men they had been represented; and they had shown their independence by condemning the Bill of the hon. Member for the Wick Burghs. He would certainly support the appointment of a Commission rather than of a Committee.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Ellice*).

THE LORD ADVOCATE said, when the three Bills, to which reference had been made, were introduced, he was not prepared to give his support to any of them, because, as he thought then and thought now, none of the propositions then made would satisfactorily settle the question; although he must say he was not all disposed to sympathize with the strong expressions which had been used with regard to the Bill of the hon. Gentleman (Mr. Loch). He thought that Bill, as well as the other Bills, contained germs for future legislation; but that legislation, he thought, could not be carried out this Session. Now, he had been appealed to by the hon. Member (Mr. Aytoun) to state whether the Government would take this question up. He admitted at once that the Government were bound to consider this question with the greatest possible seriousness and earnestness, because it had been one of the greatest questions during the late elections, and those who had been sent there had, to a certain extent, been returned to maintain the interests of those who were most concerned in the Scotch Game Laws. He thought, whether exaggerated or not, there was a real, substantial, and practical evil to be relieved; and the real question, and in fact the only question, to be decided was how that evil might to be met, so as to relieve it without entrenching upon interests. He was not prepared, however, to commit the Government to any promise of legislation on the subject; all he could promise was, that the subject should be considered during the Recess, with a view to legislation next Session, if there should appear any chance of success; but he did not think that opinion was yet sufficiently ripe. At first, he was inclined to agree with the appointment of a Committee of Inquiry into this subject. The House was in favour of that Committee, as he thought, and he saw no reason to disturb the proposal for a Committee. It appeared to him that the Committee was fairly constituted, and if it was appointed he defied the noble Lord (Lord Elcho) to write the report of it. But after the discussion—somewhat excited—which they had had to-night, he must confess it did not appear to him that this Committee could be appointed with advantage; and, although he was quite prepared to have supported it, yet he did not think it would lead to the object the hon. Gentleman had in view. He should, therefore, recommend, as the best suggestion, that they should neither proceed to the appointment of a Committee or a Commission; but that the House should consent to the adjournment of the debate, and the Government would, during the holidays, consider the matter, and after that time state what they considered was the best course to be pursued.

MR. DYCE NICOL said, he was glad to hear from the Lord Advocate that the Government would take into their consideration the operation of the Game Laws in Scotland, with the view of legislating on the subject next Session; and, seeing the support the Government received from the Scotch constituencies, he hoped that they would bring forward such a measure as would restore harmony between landlord and tenant, which was so much desired.

LORD ELCHO expressed himself quite satisfied with the statement of the Lord Advocate.

Debate *adjourned* till *Tuesday*, 8th June.

POOR RELIEF (IRELAND) ACT (1862) AMENDMENT BILL.

On Motion of Admiral SEYMOUR, Bill to amend the Act of the twenty-fifth and twenty-sixth years of Victoria, chapter eighty-three, section nine, by extending the age at which Orphan and Deserted Children may be kept out at nurse, *ordered* to be brought in by Admiral SEYMOUR and Mr. O'NEILL.

Bill *presented*, and read the first time. [Bill 117.]

INSOLVENT DEBTORS' COURT, &C. BILL.

On Motion of Mr. ATTORNEY GENERAL, Bill to provide for the winding up of the business of the late Court for the relief of Insolvent Debtors in England, and to repeal enactments relating to Bankruptcy, and matters connected therewith, *ordered* to be brought in by Mr. ATTORNEY GENERAL and Mr. SOLICITOR GENERAL.

DIPLOMATIC SERVICE [SALARIES AND ALLOWANCES] BILL.

Resolution *reported;*

"That it is expedient to authorize the payment, out of monies to be provided by Parliament, of the Salaries, Allowances, and Pensions in the Diplomatic Service."

Resolution *agreed to:* — Bill *ordered* to be brought in by Mr. DODSON, Mr. CHANCELLOR of the EXCHEQUER, and Mr. STANSFELD.

Bill *presented*, and read the first time. [Bill 118.]

House adjourned at a quarter after Two o'clock.

HOUSE OF COMMONS,

Wednesday, 12th May, 1869.

MINUTES.] — SELECT COMMITTEE — *Report*— Kitchen and Refreshment Rooms Committee [No. 209].

PUBLIC BILLS—*Ordered—First Reading*—County Courts (Admiralty Jurisdiction) Act (1868) Amendment * [121].

Second Reading—Permissive Prohibitory Liquor [10], *put off;* County Courts [9], *debate adjourned.*

PERMISSIVE PROHIBITORY LIQUOR BILL [BILL 10]—SECOND READING.

(*Sir Wilfrid Lawson, Mr. Bazley, Mr. Dalway*).

Order for Second Reading read.

SIR WILFRID LAWSON, in moving that the Bill be now read a second time, said: It is frequently alleged that the advocates of temperance indulge in more intemperate language than any-one else, but on the present occasion I hope I shall be able to guard myself. I may be permitted to say at the same time that it is not at all unnatural that persons who believe themselves to be in possession of a remedy for an enormous and admitted evil, and one which it is almost impossible to exaggerate, should place a very high value upon that remedy. I am not going to enter into long statistics to show the state of poverty and crime in the country, or into figures to show the extent to which that poverty and crime exist in some parts of the country; even if drunkenness is diminishing, which I do not deny, whether it is so or not, it is the cause, the great cause, of our pauperism and crime. That would form a fair basis upon which I may rest my arguments in the consideration of a measure which professes to deal with and remedy that great and almost overpowering evil. What I want the House to do is to grant the people of this country, when they are prepared for the experiment, a trial of a remedy which, wherever it has been fairly tried, has proved eminently and decidedly successful. Had the forms of the House allowed of it, this Bill might have been entitled a Bill for the Repression of Pauperism and Crime. I know that the Bill will be strongly opposed, and also that it is unpopular in the House; but my consolation is that, although many hon. Members differ from me as to the worth of the remedy proposed, there is not, I feel certain, a single person who does not sympathize with the objects its promoters have in view. The trouble to which I fear hon. Members have been put from the numbers of their letters, accompanied by Petitions for presentation to the House, from all parts of the country, shows the depth and intensity of the interest taken in the subject out-of-doors; and when that is coupled with the demonstrations which have been made by the presentations this day of so many more Petitions, it speaks most strongly in favour of the measure I have to submit for the approval of the House. I cannot tell the entire number of Petitions that have been presented in favour of the Bill, but up to last night they amounted to no less than 2,337, and that number has been greatly augmented within the last few minutes. In the year 1864 I had the honour of moving the second reading of a Bill similar in character to that now before the House, but I was defeated by an overwhelming majority. All the prominent speakers against the measure based their arguments for the repression of drunkenness upon education—and I also believe in that, but it must be education of the right sort; but whilst an army of schoolmasters and clergymen are engaged in instructing the people in what is good and virtuous, there is an army of 150,000 publicans and beer-sellers teaching the people to indulge in drinking habits—men who are paid by results, and who are licensed and empowered by the State to promote as large a sale of drink as possible, and by that means to increase the revenue of the national Exchequer. I cannot blame the man who sets up in a certain trade for doing as much as he can. If any man enters into trade it is natural that he should desire to do as large a business as possible, and he will exert himself to do so; and I have always thought that a great deal of harm has been done to the cause of temperance by its advocates using hard language against the beer-sellers and publicans, when it is the law which enables them to engage in the trade that is primarily responsible for the results. In England publicans' licenses are granted by the justices, and before any person can obtain one he is obliged to give notice to the overseers and chief constable of the parish, and also to stick a notice of his intention on the church door, as well as on the door of the house for which a license is asked, so that the whole of the locality may know what is intended; and that course of proceeding shows as clearly as it is possible to do, that when our licensing laws were passed, it was the intention that the local opinions and wishes of the inhabitants should be consulted and considered. In 1830 the Beer Act passed, and gave the power of granting licenses to the Excise for the sale of beer, totally and entirely regardless of the magisterial veto or of the wish of the inhabitants, except to the very slight extent of requiring that six householders should certify to the applicant's good character before he could, in places under 5,000 population, get the license. In Scotland the justices also grant licenses, except in the cases of burghs, where the baillies, or officers similar to that of borough magistrate in England, have the power. These baillies are elected by the people, and the Town Council elects them as aldermen are elected, so that virtually these are an elected Board, which some people think would be a great improvement upon the plan adopted in this country. In 1862 Mr. Mure's Act was passed, and under the provisions of this Bill it is competent for the inhabitants to appear at the licensing sessions, and to oppose if they think fit all applications either for renewal or new licenses, and this again shows clearly that the wishes of the inhabitants are to be consulted in the first instance. In Scotland, therefore, the licensing system is as good, and the restrictions on the trade as effective, in the estimation of many, as can be devised; and yet there is actually a greater cry for the Permissive Bill in Scotland than in England, showing most clearly that, however, admirable the licensing system, it has failed to stop drinking or remove the evils of which I complain. Both in England and in Scotland an appeal lies from the decision of the justices to the court of quarter sessions; but, except in Scotland, it is an appeal in favour of the applicant for the license, not of the inhabitants who are opposing it; and the appeal court, moreover, is one knowing comparatively little of the circumstances of the locality. In Ireland the justices grant the licenses; but there is no Beer Act similar to that in England; while the recorders, who may be taken as representing the stipendiary magistrates, grant the licenses in certain boroughs. In Ireland, however, there are drunkenness, misery, and crime, and the greatest dissatisfaction at the existing licensing laws, as is evinced by the support which Ireland gives to the Bill I have now the honour to submit to the House. The measure, however, is not at all a licensing Bill, as I do not think that any system of licensing, however carefully carried out, would effectually prevent or remove drunkenness and its consequences. The Bill does not in any way interfere with or touch the licensing system as it at present exists. Where it is the wish of the inhabitants that licenses should be granted, licenses can continue to be granted as at present; but what is sought by the present Bill is the giving the power to the inhabitants of a given neighbourhood, or the great majority of them, to vote within the neighbourhood, that the granting of licenses shall no longer continue; and thus, in fact, to crystallize, as it were, public opinion into public law. The measure, it is true, is a permissive one, but although a great objection exists as to the House giving its sanction to such an Act, the permissive principle has already been adopted by the House, and where it is in force there it has worked well. I refer to the Permissive Acts with respect to public libraries, and the Health of Towns Act, and I cannot see why, when you pass Permissive Acts to promote health and education, you should object to one for promoting sobriety. Sir George Grey's Act, which was passed in the year 1864, to prevent the sale of intoxicating liquors between the hours of one and four in the morning is also permissive, as it is open to the town councils, &c., feeling so disposed, to accept or reject it; but it has worked most admirably, and already above seventy, including the principal towns of the kingdom, have adopted it; and thus there is at the present time in operation in certain parts of the country that which I may correctly term a three hours' Maine Liquor Law. I am told that where prohibition has been put into force it has secured the desired effect. In several districts in England landlords holding large tracts of land, wisely, as I think, exercise the right of property, and prohibit the establishment of places for the sale of intoxicating drinks; and if those gentlemen were asked what was the result of their experiment they would say it has worked in a manner that is in the highest degree satisfactory, and that the inconvenience it might have at first occasioned has been more than compensated by the great benefits that have been conferred. It cannot be denied that the absence of inducements to drink works well for the labouring population situated where such is the case. The best results have invariably followed. A Committee of Convocation of the Province of Canterbury was appointed last year to inquire into intemperance and its remedies, composed of several of the most eminent dignitaries of the Church of England. In the valuable Report they made I find the following passage:—

> "There are at this time within the Province of Canterbury upwards of 1,000 parishes in which there is no public-house nor beer-shop; and where, in consequence of the absence of these inducements to crime and pauperism, according to the evidence brought before the Committee, the intelligence, morality, and comfort of the people are such as the friends of temperance would have anticipated."

All I wish and ask the House to do is, to allow the inhabitants of other parishes to put themselves in a similar position. As an illustration of the principle of prohibition, I may instance individual efforts that have been made. At Saltaire, Mr. Titus Salt, the owner of Saltaire, a gentleman who was a Member of this House, exercises the power he possesses, and has prohibited any drinking-shop or beer-house being established on his property; and the comfort and the prosperity of his tenantry are a proverb in that part of the country. In the year 1849, the General Assembly of the Church of Scotland instituted a close inquiry into the evil of intoxication, and came to the conclusion that the intemperance existing in the country is in proportion to its spirit licensing; and that wherever there are no public-houses for sale of spirits, there ceases to be any intoxication. That which I have said with respect to Scotland exists in Ireland. In a Petition I have had the honour to present from Bessbrook, in Ireland, in favour of my Bill, it is stated, that there are no drinking shops of any description in the place, and—one would almost think with some slight exaggeration—that neither is there any pauperism nor crime, and almost the whole of the adult population of that place, which amounts to about 3,000, have signed the Petition I have alluded to, and they petition that other places may be enabled to enjoy the same freedom. The fact is, Mr. Richardson, the landlord, objects to drinking-shops on his property; and, here again, the prohibition has been the means of bringing about the best results. The place is a border town, situated between a Catholic and a Protestant district, but such a thing as a faction fight, or any disturbance, has scarcely ever been known. In a district of Tyrone, 61½ square miles in extent, from which all the whisky shops have been cleared off, the poor rates have immensely diminished, the police station has been removed, the people live in comparative comfort, and there is a great absence of pauperism and crime. That case has been quoted years ago at the Social Science Congress, and the comments of *The Times* at that time were to the effect that if it were true it settled the question as to the benefits of prohibition. Now I can vouch for the perfect truth of that statement, and I hope hon. Gentlemen from Ireland will rise during the debate and corroborate that which I have stated. I have no wish to weary the House with quoting similar cases from other parts of the country; but I am bound to meet an argument that is sure to be used against me, to the effect that prohibition has failed in America. Now that statement I most distinctly and unequivocally deny. No policy has been more successful when it has been tried in accordance with public opinion, and where it has been fully and fairly enforced. In all the six New England States but one, prohibitory laws are in force. One remarkable fact is, that in these States the prohibitory laws have been altered, and even, in one or two cases for a time, repealed; but wherever the issue has been fairly tried and put to the people they have invariably supported their re-enactment by an overwhelming majority. Eighteen months ago all the newspapers announced the repeal of the prohibitory law in Massachusetts. It was true it was repealed by the exertions of the liquor interest in combination with the vote of foreign immigrants and a lavish expenditure of money, and a most stringent licensing law took its place. Governor Bullock, however, refused to sign the license law, protesting that it would leave temptation to the young and the weak, spread a snare for the stranger and the unwary; that it would replace thrift with waste and abuse, and inundate quiet neighbourhoods with boisterous and reckless disorder; that it would be destructive to the influences of the family, adverse to good morals, and repugnant to the religious sentiments of the community. That speech was made on the 3rd of April, 1868, and now the originators of the changes in the law have not hesitated themselves to admit that it has been a failure, and that it is a sincere regret and mortification to them, and the Legislature has determined to return to the true and wise policy of the old law by a majority of 129 to 65. There are other schemes than the Bill now under consideration before the House. I consider the Bill introduced by the hon. Baronet the Member for West Essex (Sir Henry Selwin-Ibbetson), transferring the power to license beer-shops from the Excise to the magistrates, an admirable Bill as far as it goes, but I am afraid it would not thoroughly effect the object in view. It would not improve the condition of things which existed in 1830, when there were no beer-houses, and when the evil arising from public-houses was so great that long speeches were delivered in the House condemning the whole system, calling the public-houses nests of immorality, and statements were made to prove that the whole country had been ruined by them. The Beer Bill was introduced to remedy the evil, but it has failed to do so, and it would not now be sufficient to go back to the old state of things which prevailed in the year 1830. They have also tried a very wide system of licensing at Liverpool; but this also has proved, as might have been expected, a total failure, as Liverpool has become a very sink of drunkenness, and it is evident that we cannot depend upon public-house keepers to prevent intoxication. The Bill introduced last year by Mr. John Abel Smith for closing public-houses on Sunday, would, doubtless, have done a great amount of good, but I do not think it would have been an effectual cure for the evil, because I believe that more drunkenness is produced on a Saturday night than on a Sunday; and from Scotland, where the public-houses are closed on Sundays, there has come a loud cry for prohibitory legislation—in fact, almost greater than from any other part of the country. The scheme of the Government I cannot deal with on the present occasion, because I am totally unacquainted with any of its proposals, and therefore I must pass it by with the observation that next Session seems likely to be of an extraordinary character if all the measures promised are to be brought forward. The right hon. Gentleman at the head of the Government has given his assent to the Bill of the hon. Baronet the Member for West Essex, as being a sort of suspensory Bill, and all I ask is that my Bill may be received in a similar manner. The House will see that my Bill provides that if, after three years' trial, a majority of the inhabitants of a town are dissatisfied with its working, then it shall be set aside as far as that place is concerned. Thus, in such parishes the liquor traffic, as at present organized, would be suspended for a time, possibly to be renewed under the improved system which the Government intend to introduce. The first objection that has been raised against the measure is that it would be impossible to carry prohibition in England. But why should that be an impossibility in this country which has been so successfully carried out in Nova Scotia and Canada, where a similar act prevails, which has been adopted by sixty-two places in Ontario, and by twenty-eight in Quebec; by three entire counties in Quebec, and by one in Ontario? With respect to the question as to the effect the passing the measure would have upon the public revenue, I am one of those who think that no amount of revenue derived from the sale of intoxicating drinks should be allowed for a moment to weigh against the general welfare of the people; and I feel quite certain that, if the present Bill were to pass, such a mass of wealth would accumulate in the pockets of the people that the Chancellor of the Exchequer would find no difficulty in obtaining ample funds for carrying on the government of the country. Another argument used against the Bill is, that it would inflict great inconvenience on the minority. I admit at once that it would inflict some inconvenience, but the question for the House is whether that inconvenience is so great as to counterbalance the vast public benefit that would arise in the event of the House giving its sanction to the measure? You cannot pass any law that is not some inconvenience to a portion of the public, therefore I cannot see that that objection can be sustained as a reason why the Bill should not be read a second time. Then, again, it is said it would lead to great fighting and squabbling. But do the people squabble and fight now? Do they fight over the election of Boards of Guardians for the Poor? But, supposing they do fight, it would be far better to have the fighting once a year rather than the public-house rows every night, and pauperism, misery, and crime. Another argument against the Bill is that it would deprive the licensed victuallers of a monopoly which has, in a manner, been guaranteed by Parliament. That, I admit, is an objection which is worth consideration; and although my Bill does not give compensation to the licensed victuallers for the loss they would sustain, I do not object to their having compensation, should they make out a case for it. But are they in a position to demand compensation? The Duke of Wellington, when the Act of 1830 was introduced, said that the licensed victuallers were only guaranteed their monopoly from year to year, for which their licenses were granted, and the renewal of the license conferred no right. But the reason I have not dealt with that question of compensation is that I find there is great difficulty in the matter. I want to know where that compensation is to come from, and who is to pay it? Now, with respect to the matter of compensation, what is to be said to those who have paid their fire insurances for seven years? Are they to receive compensation when the Act abolishing the fire insurance duty receives the Royal Assent and comes into operation? They are told by the Chancellor of the Exchequer that they ought to have watched what is being done by the hon. Member for Dudley (Mr. H. B. Sheridan). And could it be said that the licensed victuallers were not watching this Bill? Those who vote for the present Bill do not vote against compensation, if a case should be made out for it. Some hon. Members wish the Bill to be referred to a Select Committee, but what is that Committee to inquire into? Select Committees have already inquired into the matter, and fully revealed the horrors of the present system; but if the Amendment is proposed for the purpose of ascertaining the best machinery by which the Bill can be carried into operation, then I shall have no objection to that course being pursued. The last objection that has been urged against the Bill is that it is making one law for the rich and another for the poor; but is such the case? It is from the rich that the great opposition comes, and not from the poor. On the contrary, the poor are most anxious that the measure should receive the sanction of Parliament. The agitation for this measure has not had the great subscriptions which aided the Anti-Corn-Law League; but I may say that the measure is supported by the aristocracy of the working classes. I do hope that the House will pay some attention to the requirements of that great and deserving portion of Her Majesty's subjects. You may throw out the Bill, as you did some years ago, but that will not stop the agitation. I ask again, is it wise, when the future of the country is in the hands of the working classes, to disregard and refuse their demand for the straightforward measure I have had the honour of submitting to the House—one calculated to put an end to an acknowledged evil that exists to an alarming extent? I have to thank the House for the attention they have given me in bringing forward this question; but it is not for myself that I have trespassed so long on their attention, but for those who cannot speak in this House, who believe that their request for an extension of the privilege of local self-government ought to be granted them. They ask for no "heroic remedy." Their request is founded on justice, and I hope the opinion of the House will be that it ought to be granted, because it can do no injury to the State, and it is but reasonable and just; and if the power is granted I feel certain that it will not be used in any manner that is injurious to society, but, on the contrary, that the people will use it only for their own benefit and for the public welfare. Believing that, and again thanking the House for the kind attention they have given, I beg leave to move the second reading of the Bill.

MR. BAZLEY, in seconding the Motion, said—I believe that the Members of this House who are magistrates, and have served as grand jurors, and who have a practical knowledge of the business of quarter sessions will bear me out in the assertion that three-fourths of the crime of the country proceeds from intoxication, or intemperance. That intoxication prevails in this country to a very lamentable extent I believe will not be denied, and the only question that we are left to determine is how to meet and check the growing evil. Some short time ago the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), in a speech in which I in the main agree with him, said that he attributed the prevalence of intoxication in Lancashire to the assumed fact that in that part of the country they are overworked; but I cannot agree in that, because I believe many men in that House, Her Majesty's Ministers not excepted, work more constantly than do the great mass of the industrial classes of Lancashire. I attribute a great deal of the intoxication that unfortunately exists in Lancashire to legislation, or I may say the want of it, and now it becomes imperatively necessary that something should be done to stem the tide of vice, which is ruining the morality of the working classes. It cannot be stopped, in my opinion, but by legislative enactment; and I think the voice of the people, which speaks in the thousands of Petitions presented in favour of the Bill, ought not to be disregarded. I believe it is estimated that £100,000,000 sterling are annually spent in this country in intoxicating liquor; and in our prisons, our lunatic asylums, and our workhouses large numbers of the victims of intemperate indulgence in those drinks are always to be found. I believe that the present mode of restricting the sale of liquors is anything but satisfactory; and in this respect I take it the people are the best judges of their own requirements, and I feel certain if the power given by this Bill were placed in their hands the evils arising from intoxication would in a short time become very much mitigated. I, for one, do not believe it possible to make the people entirely sober by Act of Parliament; but I do believe it to be in the power of the Legislature to take such steps as would diminish the temptations and alleviate the evil to a very great extent. Supposing, for instance, the expenditure upon drink were reduced one-half, how usefully might the £50,000,000 saved be applied to the interests of the people. I believe one of the first improvements that would take place with the money so saved would be in the dwellings of the poor. Why, for £50,000,000 they might erect 250,000 dwellings costing £200 each, and these houses would give comfortable shelter to 1,250,000 persons, to an extent as many are quite strangers to, whilst their construction would create a demand for the labour of the builder the carpenter, the spinner, and in fact to nearly every branch of industry. I do not object to the measure brought forward by the hon. Member for Essex, because any legislation that attempts to mitigate the great and growing evil would be preferable to none at all; but I think it is perfectly clear that the wisest course to pursue is to give the people themselves power of deciding whether or no the sale of intoxicating liquor shall continue in their own localities to the injury of life and property. I do hope that if the present Bill is rejected the Government will take the matter into their hands, and that next Session the Home Secretary will submit to the House a large and comprehensive measure. Even the victims of intemperance crave that this House will stay the hand of the destroyer. Every well-wisher of his country will, I feel assured, rejoice at such an event, and all will cordially approve the passing of an Act, the object of which is to increase the happiness and morality of the great bulk of the people of the realm.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Wilfrid Lawson.*)

Colonel JERVIS said, he rose to move, as an Amendment, that the Bill be read a second time that day six months. He was quite prepared to admit that the hon. Baronet, and those who acted with him, were actuated by the highest and purest motives; but what appeared at the same time clear to him was that they were altogether wrong in the measures to be taken to suppress intoxication, and supposing the Bill passed, all attempts to enforce such a scheme would necessarily be attended with complete and disastrous failure. The other day, they, the House, agreed to the proposal to vest in the magistrates the power of licensing public-houses, and now they were asked to affirm the principle of a Bill by which means two-thirds of the rate-payers might pass a vote of want of confidence in the magistrates. Now what would be the effect of granting the request of the hon. Baronet? Why, that two-thirds of the inhabitants of any parish could prevent the sale within its limits, of either spirits, beer, cider, or perry, and such an enactment could only result in the people having to go to the next parish, where they could indulge in the use of spirits to any extent they thought proper, or if that was not done, a system of smuggling or secret drinking would start up, which would be a great deal worse than the open evil. The mere attempt to enforce such a law would give rise, in almost every place, to a spirit of constant contention year after year and day after day. The measure was one utterly opposed to the feelings and habits of Englishmen, and it would induce so much ill-will and agitation throughout the land that he could not understand how it was that people could be found weak enough to support its principle. By this Bill they would be raising a parliament in every parish to carry measures in opposition to the legislative measures passed by the Imperial Parliament. As he believed, there was a great difference between restriction by a good licensing system and such a scheme as that proposed in the Bill now under consideration. By the former you still allowed every poor man in every parish to enjoy that which was a part of his daily nutriment; but, under this Bill, a number of old ladies and gentlemen might meet together and decide that the poor man should have no beer at all, because they might decide that he should have no place to buy it at. Circulars had been sent round to make it generally known that all children above the age of sixteen might sign Petitions in favour of the Bill—a matter that he could not think would be generally approved of. He did not know whether the Petitions presented in favour of the Bill had been properly signed or not, but certainly he had seen some names attached to one of those Petitions, which came from his neighbourhood, which he could not recognize. He thought such a system highly objectionable, and he should like to know whether grown-up men were to be legislated upon by children of the age of sixteen? The signatures might perhaps be those of Sunday School children, but he did not think that Petitions from children should carry a Bill of this kind. It had been said that if compensation were required in consequence of the carrying out of the provisions of this Bill, compensation would be found; but he should like to know where. Many persons seemed to think that the consumption of alchoholic drink had increased in this country; so far was this from being the case that we had it in evidence that, making due allowance for the increase of the population, the consumption had decreased. When the Bill for further restricting the hours during which public-houses might be open on Sundays was brought in, magistrates, and other gentlemen of the greatest experience, gave it as their opinion that further restriction in that direction would only lead to an increase of intoxication. At a meeting held in Elgin, it was stated that when the Scotch system of restriction had been enforced it made matters worse, as people bought up drink surreptitiously, and got drunk at home. He believed that good might be done by the Bill of the hon. Member for West Essex (Sir Henry Selwin-Ibbetson), and also, perhaps, by some regulations such as those at present in force at New York. Those people who showed themselves to be incapable of restraining themselves in the use of intoxicating liquors were treated as maniacs. Thinking, therefore, that the spirit of the Bill was totally opposed to the feelings of a large portion of the population, he moved that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Colonel Jervis.*)

Mr. G. O. MORGAN said, that if there was a wide divergence of opinion among Members of this House as to the Bill, there was also a very striking unanimity as to the subject-matter with which it dealt. All were agreed as to the end which the hon. Gentleman had in view. They differed only as to the means by which it was sought to attain that end. Whatever might have been thought of the subject in the good old days when a gentleman was valued in proportion to the number of bottles of wine he could drink—the days when Members of Parliament and Cabinet Ministers and even learned Judges and reverend divines were not ashamed of being found under their own dinner tables—the days—

"When Isis' elders reeled, their pupils' sport,
And Alma Mater lay dissolved in port"—

all were now agreed that drunkenness,—long considered a disgrace in a gentleman—was the curse and the bane of our poorer classes, and the fruitful parent of crime and pauperism and every form of misery. It was not necessary to go into the question whether drunkenness had slightly decreased or not of late—its existence to a frightful extent was patent, and whatever hopes they might build for the future upon the moral and intellectual improvement of the masses, for the present at least they could only hope to cope with it by means of special legislation. Then, did our present licensing system afford such means? he would appeal to the evidences of their senses. He defied anyone to walk from that House to Temple Bar and observe the splendid palaces dedicated to drink and debauchery, and the miserable crowd of men and women thronging around the doors like moths round a candle, and not admit that we were actually thrusting temptation in the way of the drunkard, and instead of merely ministering to a healthy demand by a healthy supply, were really quickening and stimulating a diseased appetite by means of an excessive and artificial supply. It was the fact, as just stated by the hon. Member for Manchester, that for two-thirds of the drunkenness which prevailed in this country our legislation was mainly and directly responsible. What then was the cure? Hitherto, our well-meaning attempts at legislation were a mere series of failures. He did not say that this Bill was a perfect Bill; he did not say that it might not be usefully amended in Committee; but he did say that it stood almost alone as an honest attempt to grapple with the evil, and until they showed him some equally efficient mode of grappling with that evil, he must and would support it. Coming to the Bill he would endeavour to deal with the arguments which the hon. and gallant Member for Harwich urged against it. First, he says that, if Parliament passes this Bill it will abrogate *pro tanto* its legislative functions, and delegate those functions to a local body of rate-payers, and that this was a violation of the first principle of the Constitution. But did they not already confer legislative, or *quasi*-legislative, powers upon these local bodies? They certainly entrusted to them a right which had been long considered the peculiar privilege of Englishmen — the right of taxing themselves—and this question was pre-eminently a rate-payers' question; for as surely as pauperism begot excess of rates, so surely did drunkenness beget increase of pauperism. The two things therefore were really connected together as cause and effect; and in vesting in the rate-payers the power of deciding whether public-houses should or should not exist in their district, they were really vesting this power in a body of men who were most interested in the question, and who from their intimate knowledge of the circumstances of their own locality were best qualified to form a judgment on the subject. Indeed, he looked upon this principle of investing the rate-payers with discretionary power in this matter as one which might be most usefully extended, and that, instead of giving the rate-payers merely a right of saying "Aye" or "No" to the question, whether any public-houses at all in their district, should or should not be allowed, they should give them the power of determining what number should be permitted, and subject to what conditions they should exist. In other words, he would transfer the power of granting licenses and of controlling licensed houses from the magistrates and the Excise to the rate-payers. In saying this he said nothing contrary to the principle involved in the Bill, for if they conceded the principle of prohibition, upon which this Bill was founded, they must concede also the principle of restriction, which is nothing more than partial prohibition. The second argument against the Bill—that which, perhaps, was the most generally insisted upon—was that this measure, if passed, would place in the hands of the majority of rate-payers in any district the means of oppressing the minority, and thus would prove an endless source of discord and discontent. Now, he thought, that was an argument which came with a very bad grace indeed from that side of the House; for since he had had the honour of a seat there he had repeatedly heard it laid down by hon. and right hon. Gentlemen that it was the acknowledged right of a majority to bind the minority by its decision, and that the first duty of a minority was to submit. Now, he confessed he did not see why the decision of the majority should be more galling if expressed in the form of the vote of a local body, than when expressed in the form of a Parliamentary vote. They were in the habit of taking the decision of a majority of local bodies upon questions of the greatest importance every day, and when once that decision was given it was invariably received as final. But if the decision of a majority of the rate-payers was to be regarded as oppressive, the same decision if come to and enforced by a single man ought to be regarded a sheer despotism. Now, there were entire districts where the resident nobility and gentry, partly as magistrates by refusing licenses, and partly as landlords by inserting in leases a prohibition of beer-shops, had driven the traffic out of their estates. A writer of an article in *Fraser's Magazine*, dealing with the subject, gave the names of the late Prince Consort, the Dukes of Argyll, Grafton, and Buccleuch, the Marquesses of Breadalbane, Cholmondeley, and Westminster, the Earl of Shaftesbury, and the late Lord Palmerston; and he states that in Ireland, near Dungannon, there is a considerable tract of country, extending over sixty-six square miles, in which no intoxicating liquor is sold. He did not, then, think they could make much of the argument founded upon the supposed oppression of the minority for the majority. He now came to another argument which he confessed had much more weight with him than any used by the hon. and gallant Gentleman. It was said that, by this Bill, they were punishing the innocent for the guilty; that because A and B abused a particular thing therefore they had no right to prevent C and D, who made a moderate or harmless use of it, from doing so. Now he thought there was great weight in this objection, and the real answer to be this—In our present system the abuse of strong drinks was inseparably connected with the use, and until he saw his way to disconnecting the two he was driven to a choice of evils; he must either permit the abuse to go on with the use, or he must forbid both. It might be a clumsy and unscientific way of dealing with the question, but as far as he could see it was the only practical mode to cut the Gordian Knot. But again, the hon. and gallant Gentleman stated that the Bill made one law for the rich and another for the poor, and that if you shut up public-houses you ought to shut up clubs also. But surely the answer was obvious. Men did abuse public-houses; they did not abuse clubs. They did get drunk in public-houses, whereas they did not, as far at least as his experience went, get drunk in clubs; and this was just an instance in point, a case in which they permitted the use without also sanctioning the abuse. But, in dealing with this part of the question it was only fair to consider whence the demand for this Bill came. Did the the pressure come from above or did it come from below? Did it come from the rich or the poor? His hon. Friend had told the House that upwards of 2,300 Petitions had been presented in favour of the Bill. It was easy enough to cast doubt, as the hon. and gallant Gentleman had done, upon the authenticity of these Petitions. He could only oppose his own assertion as to what he knew—he had presented between thirty and forty Petitions in favour of the Bill, signed by several thousand persons, and he knew the signatures to be genuine. These were all persons of the lowest class, those most exposed to temptation, and they all joined in asking to be protected against themselves. Now, how many Petitions had been presented against the Bill? As far as his (Mr. Morgan's) knowledge went, only one, and that from the licensed victuallers. The hon. and gallant Gentleman had said something about "a powerful organization," but he (Mr. Morgan) thought that the one body of licensed victuallers was as thorough an "organization" as the concurrence of the Petitions. As to power, an hon. Member of that House had said—"The honour of returning the British House of Commons is divided between the licensed victuallers and the attorneys." He thought, then, the less said about pressure and organization the better. There was, then, what he called the fiscal argument. It was said we must have a revenue, and if we had a revenue we must have taxes, and if we must have taxes what could be more convenient or more right than to levy those taxes upon a traffic of which they disapproved, and so at once raise a revenue and prevent the expansion of a noxious trade? Well, that was the very argument which had been before now urged in favour of the roulette tables of Homburg and the "hells" of Baden Baden. He had no faith in this kind of political "hedging." A system was either right or wrong, and, if it was wrong, depend upon it they could not with impunity turn it into a profit. Then it was said that many persons had invested their money in public-house property, and that by this Bill they were depreciating that property and interfering with vested interests. But independently of the possibility of compensation, he must remind the House that they were not dealing with a Railway Bill, or a Gas Bill, or a Court of Justice Bill, or any other Private Bill, in which the consideration of vested interests might be fairly and properly urged, but with the most important and difficult problem which ever engaged the attention of legislator or statesman. Now they were to eradicate this noxious weed which was choking up the mainsprings of our national life—the fungus growth which was eating into the very roots of our florid and luxuriant civilization. Surely if ever there was an occasion upon which the advocates of a great measure were justly entitled to appeal to the first and highest maxim of English Law, *Salus populi summa lex,* that time was the present. Those were the arguments which after much thought and much deliberation had moved him to support this Bill. If they wanted to see them pointed and enforced read the police reports of any morning newspaper; study the contents of any Judge's charge throughout the country; walk at any hour of the night or on any day of the week through the most crowded thoroughfares or the narrowest by-ways of any of our great cities; and when they had ascertained for themselves the extent and enormity of the evil let them, if they could, come back and point out a better remedy.

Mr. CAWLEY said, he was unable to allow the Bill to pass with only giving a silent vote upon it. The temperance movement had his hearty support, and he hailed with satisfaction the fact that so many Petitions had been presented in favour of the Bill, as it was an indication that the working classes were anxious to bring about some improvement with respect to the drinking habits of the country. Coming, as the Petitions did, from the poor, he saw in them an inclination to effect a change, of the necessity of which they must themselves be the best judges. He felt persuaded that, if the working classes would only exert themselves in the matter, a reformation would easily be brought about. For himself, while he should always strive to do anything in his power to remedy the evils which flowed from drunkenness, he must, at the same time, be assured of the wisdom of the proposed remedies prior to lending them his support. The real scope of the Bill was to be found in the 10th clause, which went to the absolute prohibition of licenses, so that if the Bill were adopted in every district it would be impossible to purchase any excisable liquors at all. The analogies drawn from Local Government Acts were entirely beside the question, as the principles of those acts applied to the entire country, and he held that no Permissive Bill was sound unless the principles of it were applicable to the whole country. Under the Bill of the hon. Baronet (Sir Wilfrid Lawson) no person would be able to procure in certain districts any liquor at all, unless he manufactured it in his own house or premises, and he did not think it would be possible to adopt the measure as a general enactment. He looked to the spread of education as the main hope of repressing intemperance. Drunkenness would not disappear until men had learned that they must exercise self-control and restraint in the use of intoxicating drinks. Believing that these articles were given for our benefit—though as desirous of doing anything that would induce a diminution in the amount of drunkenness as any hon. Member in the House—he could not for a moment consent to absolute prohibition. He could quite understand the benefits which were stated to have arisen in particular places by putting down public-houses, but as regards drunkenness generally, the result of forbidding the sale of liquors in one parish would be abortive, because the people who found they could not procure what they wanted in their own neigbourhood would emigrate to the districts where what they required could be obtained, and thus the drunkenness and immorality of the latter would be increased. He quite agreed with the hon. Member for Manchester (Mr. Bazley) that the saving of £50,000,000 a year would be a great advantage to the working classes, but he could not concur in the opinion which the hon. Member had expressed as the probable mode in which the money would be expended. No one felt more strongly than himself the evil of multiplying public-houses. Though ready to give his hearty support to any measure which he considered practicable for reducing their number, he could not take upon himself the responsibility of altogether prohibiting the sale of intoxicating liquors.

Mr. W. E. FORSTER said, he rose to speak solely on his own responsibility and on behalf of his constituents, who took an intense interest in the question. He desired to explain the reasons which would compel him to vote against the Bill. It was agreed on all hands that drunkenness was one of the greatest causes of the misery and poverty which existed amongst certain classes in the country. The hon. Member for Manchester had said that they could not make men moral by Act of Parliament. No doubt that was perfectly true, but it was not less true that by legislation much could be done to remove temptation out of the way of the people. At the present moment the temptation to drink was great, and it was greater, than it might, and he would say, than it would be, if there had been some new legislation on the subject. The hon. Member who had brought forward the Bill stated that it was supported by the aristocracy of the working men in large towns, and certainly no one would deny that that was a good reason why it should receive the utmost consideration at the hands of the House. In the case of any meeting, numbering 3,000 or 4,000 people, that had been held for any purpose in his own borough, he believed if a show of hands had been called for, the majority would have been in favour of the Permissive Bill. This was one of those facts which made it incumbent on those who opposed the Bill to state the grounds of their opposition. Those men were so conscious of the evils of drunkenness, that when they saw, as they thought, an easy mode of getting rid of them, they readily gave it their support. He doubted, however, if, when they found how strong the proposed measure was in its operation, they would accord it the same measure of support. He did not himself think, as his hon. Friend had said, that this was "a small Bill," or rather "a small matter." He was inclined to say that it was a very great measure indeed, and the hon. Baronet must know that if it passed into a law it would be one of the strongest measures ever sanctioned by the House. The Bill, in point of fact, meant this, that the majority of the constituencies of England regarding not the use of intoxicating liquors but the abuse of them as an evil, should have power to prevent persons having that use, or, at all events, to make it exceedingly difficult for them to have it, in order that others might not abuse it. Now that was a very strong measure, and one which nothing but a very strong necessity could justify. No doubt the majority had a legal right to pass and enforce laws on the community; but he did not belief that the majority had a constitutional right to interfere, as the Bill proposed they should do, with the social privileges of those who did not agree with them. The House of Commons was constituted to pass laws according to the will of the majority; but it was a perfectly different thing to say they were there to give a power to the majority in particular districts to make the minority do what the majority liked. He thought the minority in any district had a right to the special protection of the House against the majority, if the matter were one in which they ought not to be socially interfered with, and he also thought that the House would be doing harm rather than good if they went in advance of public opinion. Besides, it was his opinion that the Bill, from its very nature, would lead to frequent and clandestine evasions of the law, because it was in the very nature of things that such a measure should be continually evaded by those who did not approve of its provisions. The question was whether it was right to impose such restrictions as those which were contemplated by the measure; and, if it could not be proved that it was right to do so, the wrong was only increased by that House resigning its power into the hands of a small number of the inhabitants of a district, and thus enabling the majority to disregard the wishes and the rights of their neighbours. The point was, whether it was or was not a right thing to impose such a restriction on the liberty of the subject? He believed, however, that out of this agitation they might obtain more power to check the great evil of drunkenness, and that the abuse they all deplored might be greatly lessened, if not cured, not by prohibition but by restriction. The two things should be kept distinct, and he did not see why they should not permit the rate-payers to express their opinions if they desired to impose restrictive measures. Neither did he see why, under certain limitations, the magistrates should not be obliged to take notice of such representations. In order to prevent absolute prohibition he would provide for an appeal from their decision.

To what authority that appeal should be made, or in what manner the power should be lodged in the hands of the rate-payers, were matters of detail which could be easily settled if the principle itself came to be adopted. At the present time, they all witnessed how whole streets became possessed by gin palaces and beer-shops, and how on that account people withdrew from those streets. Why should not they who resided there have a voice in the matter? Questions of property were no doubt involved; but the practice hitherto had been too much to regard them as questions of property between the existing and the future publicans, whereas the rate-payers whose property frequently became almost valueless from the depreciation arising from the increase of public-houses, were equally entitled to have their cases considered. It was impossible that the settlement of the question could be put off much longer, and not so much as a Colleague, but as a Member of that House he would earnestly beg ofhis right hon. Friend the Home Secretary to consider whether it would not be one of the best modes of bringing about real and effective restriction, to give to neighbours the power of checking the increase of public-houses in their districts and causing their diminution.

VISCOUNT SANDON said, he rose for the purpose of urging on the Government the important duty of dealing with the liquor laws as soon as possible; but he hoped that when the task was undertaken it would not be in a piecemeal way, but that they would take the whole of the laws affecting the question into consideration. Although he could not give his assent to the leading provisions of the Bill, yet he thought the House was much indebted to the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) and to the great organization with which he was connected, for the spirit and determination they had exhibited in forcing upon the country the consideration of the question. He did not agree with the means they proposed to adopt, but he could not but admire and appreciate the trouble and pains they had taken to bring the Motion forward. He could not and did not think that the demand now made was the result of a fictitious agitation, and anyone connected with a large centre of population must be aware that there was a deep, real, and earnest feeling with regard to the present state of the law with respect to the liquor trade, and that the consideration of the whole subject would no longer brook delay. There could not be a doubt that many of the best men amongst the working classes were most eager for legislation on the subject, because they felt that it was one which largely affected their future prospects, and it would be a marked want of consideration of the convictions of these men if the Government did not take the matter up in a determined manner. They were doing their best to put down the evils of drunkenness in their class, and it was due to them that the Government should show a desire to assist them in their most praiseworthy endeavours. Again, as an additional reason for Government action, and for their taking the subject out of the hands of private Members, it must be remembered that there were very large interests connected with the liquor trade, which have grown up in accordance with the present law, and nothing could be more serious for this or for any other trade than to be kept in suspense year after year as to what the future position might be. The leading men of the licensed victuallers were prepared to make great concessions; many of them were men of public spirit and of high character, and who performed all the duties of citizens with credit to themselves and advantage to the State, and he believed they would be ready to meet the Government half-way in any proposition they might make. He protested against the sweeping assertions that were made as to the drunken habits of the working class: a great change was passing over their feelings with regard to drunkenness, just as it had passed over those of the upper and middle classes; and this was shown by the sobriety which prevailed in the great gatherings of Foresters, Odd Fellows, and other societies that were annually held at the Crystal Palace. In Staffordshire large excursions were of frequent occurrence from the Potteries and the Black Country, and amongst the thousands he had seen in his father's park there was hardly ever a case of drunkenness to be seen amongst them, which of itself showed that there was a great improvement compared with the state of things that formerly existed. He feared very much if the hon. Baronet carried his measure, we should forestall public opinion and retard the advance of those principles of sobriety which they were all so anxious to promote. He thought it was clearly the duty of the Government to speak out on the matter, and that too in unmistakable terms, and not to fear either those who were in favour of the Permissive Bill or those opposed to it; but to accept the heavy responsibility that rested on them, and to say that they would deal straightforwardly and immediately with the whole question of the liquor laws.

MR. LEATHAM said, he was sure that all who had seen the disinterested zeal with which the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) had devoted himself to the subject they were then considering, and had marked the warm response he had met with from so many quarters, must desire if it were possible to assist him in his efforts. There was, at least, one objection, however,—and it was a formidable one—which the hon. Baronet must endeavour to remove, and that was the constitutional objection raised by the right hon. Gentleman the Vice President of the Council. None, he thought, would deny that it was of the essence of representative government that the class which elected—which was practically the rate-paying class—should not itself legislate. Only in matters of the merest detail had legislative powers been relegated to that class, and in no instance had that been done directly, but those powers had been relegated to persons elected by the rate-paying classes. The responsibility and trust of the House of Commons, in regard to the property and liberties of their fellow-subjects, had always been regarded as forming the key-stone of constitutional freedom. To shirk that responsibility, and to throw it back upon the class which elected but did not legislate, was in his opinion to expose, probably where they were most vulnerable, that liberty of the individual and those rights of the minority which were the peculiar boast of this country, and the special growth of a system of government which had been purposely made elaborate and complex. That, he imagined, was what was proposed to be done by the Bill, at least so far as the possible extinction of a great trade went, and the sacrifice, without compensation, of the capital embarked in it, and so far as concerned the undoubted right of individuals to enjoy what, no doubt, many abused, but what at the same time was useful to many. Not content with this democratic verdict of the class in its entirety, the hon. Baronet proposed to break up the class into fragments, and upon each of these fragments he proposed to confer these Imperial powers, and that without appeal. If vestries could satisfactorily exercise the powers which the measure proposed to confer on them, it would be hard to find any question with reference to which they might not exercise the same privilege. For these reasons he could not thoroughly support his hon. Friend. Indeed, if he thought there were any immediate probability of the Bill passing the House, he should feel bound to vote against it. That, however, was a probability which he did not anticipate; but he frankly confessed that his hon. Friend's movement was an honest attempt to deal with what he was prepared to vie with him in denouncing as the gigantic curse of the country. He observed that directly the hon. Baronet disappeared from the House, the licensing question disappeared with him, and his re-appearance was simultaneous with its re-appearance in all its gravity. He believed that the agitation of which his hon. Friend was the leader would eventually result in the passing of a measure which would be free from the objections to which this Bill was open. If compelled, therefore, to vote against the Motion of the hon. Member, he should do so with extreme reluctance.

MR. SCOURFIELD said, that one of the reasons that had been urged in favour of the Bill was that a very few Petitions, comparatively speaking, had been presented against the measure of hon. Baronet; but he thought it was not to be expected that people would be everlastingly presenting Petitions that the law might remain as it was, and it appeared to him, and he dared say the feeling was shared in by many other hon. Members, that the reasons the Petitions had not been presented was that the great majority of the people believed that there was no possibility of the Bill of the hon. Member for Carlisle passing, and that therefore there was no need to take any trouble about it. But if it were passed—of this he had no doubt—namely, that their opinions would be expressed in a way far more disagreeable than in the form of Petitions. If the majority were to bind the minority in social matters there would be an intense amount of irritation in the country, and the irritation would be increased ten-fold by the fact that the majority was composed of neighbours, for people in general were not particularly fond of their neighbours. He had the greatest respect for Petitions coming from the masses; they were admirable judges of what was wanted, but he was bound to say, at the same time, that they did not know the difficulty that surrounded their demands. A great number of persons were not at all aware of the caution that was required in applying legislative remedies to evils; and, for himself, the longer he lived the less trust did he place in Acts of Parliament, because he could place less trust in the material of which they were made —that was to say in the precision and accuracy of language. It was superfluous for anyone to say he was opposed to drunkenness, because they were all aware it was one of the greatest evils which beset society; but he thought it was rather maligning the working classes not to recognize the great improvement which had been made amongst them within the period of their own observation, and it was impossible to go through the streets of the metropolis, or of any market town, without noticing the indications of improvement. There had, however, been a great increase in the population, and it was most important that that fact should not be lost sight of when the amount of money spent in intoxicating liquors was taken into consideration. He thought it wrong to say that the legislature afforded encouragement to intoxication, for there was a fine upon every drop of liquor that went down a man's throat, and a man might be fined only for being drunk, although a man who was helplessly drunk was perhaps a less nuisance to others than he was at any other time. The title of the Bill—the Permissive Prohibitory Liquor Bill—was rather paradoxical, and had it come from the other side of the Channel some very curious and humorous remarks would have been made upon it. He objected to giving local boards the power laid down in the Bill; he also objected to the leasing power contained in the measure; and if the representative power of the country was to be increased, and an improved number of laws passed, it must, in his opinion, be done in the House, and not by giving the power to an unlimited number of districts.

Mr. DALWAY said, he would not detain the House more than a moment in stating that he held a strong conviction that the Bill which was under consideration was eminently needed in the larger portion of the United Kingdom. As a magistrate, he had opportunities of seeing to what a great extent drinking originated crime, and he felt assured that many of the victims of the legalized temptations would hail with gratitude the power to remove the bane from their neighbourhood. As the proposal could only be put into operation in districts where a strong public opinion was registered in favour of its adoption, he thought no objection could be presented on constitutional principles. In view of the necessity for action, and being aware of the great desire which pervaded the people for the measure, the Bill had his heartiest support, and he hoped the House would allow it to pass its second reading, and to go into Committee as soon as possible.

Mr. WALTER objected to the Motion for the second reading of the Bill, but trusted the House would not think that he was at all disposed to undervalue the magnitude of the evil the hon. Baronet sought to control. He also felt certain that the best and purest intentions animated those who were exerting themselves in favour of the Bill; but in his opinion the provisions of the measure now under the consideration of the House would not have the effect intended. With the hon. Baronet, he believed that drunkenness was the greatest social curse against which we had to contend; but the victims of it to be seen in the streets at night by hon. Members who walked from the House to their homes did not belong to what had been described as the working classes of the country. It was not to the beer-shop that the great amount of drunkenness which prevailed was to be attributed; gin and other spirituous liquors were far more active agents in producing the vice than beer; and if he were called upon to mention those within his knowledge who had ruined their prospects in life, had lost good situations, and had fallen from comparative ease and competence to a state of degradation, they would not be the men belonging to the labouring class, following agricultural or mechanical pursuits, but they would be men of a superior class and of good education, men who had enjoyed comfortable homes and good salaries, and who, in spite of all, had fallen victims to that abominable vice. It was not such men as these that would be protected by the Bill, for they indulged in intemperance at home. The hon. Baronet who had moved the second reading of the Bill took a different view from his Seconder the hon. Member for Manchester (Mr. Bazle), who spoke in more reasonable terms of the necessity for placing the liquor traffic under proper regulation. There was all the difference in the world between a system of regulation and one of prohibition, and whilst he was prepared to go all reasonable lengths in assisting the Government to devise more effectual means of regulating the traffic in liquor, he was equally prepared to resist, as unconstitutional and subversive of liberty, any attempt to introduce the Maine Liquor Law into this country. Exception might be taken to the Preamble of the Bill, because it was really not the common sale of intoxicating liquors, but the excessive abuse of them, which was the frightful source of crime and other evils; and he could not see any justification for legislating against the sale of any commodity which was not in itself of an injurious character. It would be a logical consequence of the Bill to shut up not only the beer-houses and the public-houses, but breweries also; because if it were an immoral thing in itself, and an impolitic thing to be permitted by the State to sell intoxicating liquors, it was equally obligatory on the State to prevent the production of those liquors, and the same arguments that would justify the passing of the Bill to prohibit the sale of them, would equally justify the passing of a Bill to prevent their manufacture. The real gist of the Bill was contained in the 10th clause; and when the hon. Member for Denbighshire (Mr. O. Morgan) spoke of this as one of the most difficult of our social problems, it occurred to him that they had not found the true solution of such a problem in a clause of fifteen or twenty lines, and that simply of a prohibitory kind. If this Bill were to pass what would be the effect in a place like Manchester or Liverpool with a population of 500,000? It would be competent to two-thirds of the population to prohibit the sale of any species of intoxicating drink, and it was just as reasonable to expect that we should repeal the Reform Act, or re-establish the Irish Church, or do any other utterly impossible or impracticable thing as that we should prohibit the population of Manchester or Liverpool from obtaining spirits or alcoholic and malt liquor to drink if they required them. The people would possess themselves of the forbidden liquors by hook or by crook, and, if the Bill passed, they would either buy them from the manufacturers or manufacture the drink themselves; or, in place of licensed houses over which the magistrates and police exercised control, there would be a number of houses nominally private, really kept open for the convenience of those who chose to resort to them to gratify their tastes. Of the two evils he ventured to think that this would be by far the worst, for there would be no means of detecting the offenders, the police would have no right to enter the houses, and that which was now done openly would be done secretly, and in a more mischievous manner. Allusion had been made to the New England States, as having recently reverted to the original prohibitory law, in place of the restrictive law which had existed for several years past. He would not adduce a single incident as any proof of what was going on in a whole country, but, during the time he was in America, the only place at which he saw a man dead drunk was in the streets of Boston. If he might presume to tender advice to the hon. Baronet, to whom he must give the greatest credit for his zeal and perseverance, he would appeal to him to consider whether it would not be better to leave the question in the hands of the Government, after the discussion which was held the other night on the Beer-houses Bill, and the pledge virtually given by the Government to deal with the subject. This was a question of police, and any question of police regulation brought in by the Government would receive the support of the House. But it was a serious matter to introduce for the first time so novel a principle in legislation as that of giving two-thirds, or any majority, the power—not of providing themselves with what they wanted, but of prohibiting other people from obtaining what they wanted. No analogous case could be mentioned; and, when great landowners were referred to as having kept their estates clear of public-houses, he maintained there was an essential difference between a landowner declining to let a house on his own estate as a public-house, and a body of ratepayers saying that a house which did not belong to them should not be let as a public-house without their consent. He did not deny that it might not be expedient to consider whether the ratepayers should not have a concurrent voice with the magistrates; at all events the power of representing to the magistrates whether they considered an increase in the number of public-houses desirable. But it was one thing to regulate the number and to endeavour to adjust them to the wants of the population; it was a totally different thing to attempt to carry out the principle of absolutely prohibiting the sale of spirituous liquors. Under all the circumstances of the case, whilst cordially concurring in the object the hon. Baronet had at heart, he must decline to vote with him, and once more he would recommend him to withdraw the Bill and leave the matter, at least until next Session, in the hands of the Government.

Colonel CORBETT said, he thought it would be extremely unadvisable for the House to interfere with the trade in the way proposed by the Bill then under consideration, until all other means had been tried and found to be ineffectual. The suggestions just made by the Vice President of the Council would, if carried out, have a beneficial effect on the liquor trade, and he, for one, thought that they ought first to have recourse to measures for the modification of the evil rather than to have recourse to exceptional legislation which would be fraught with greater evil. Sunday was no doubt the worst day, owing to the indifference of the lower class to attend places of worship; and finding the time hang heavily on their hands they resorted to the public-houses. In his neighbourhood a few of the publicans had come to a voluntary arrangement whereby they only opened their houses on Sunday for an hour and a-half in the middle of the day, and again in the evening for the same time for the supply of liquor to be drunk off the premises, and the result was satisfactory to all parties. Much good, he thought, might result by the granting six day and seven day licenses, as was the case with the cabs in the metropolis; and he also thought that it would prove highly satisfactory if care was taken that the working class was supplied with a genuine and wholesome article, because nearly as many cases of drunkenness arose from the use of an adulterated article as there were from the quantity of the liquor consumed. He was by no means favourable to the proposition of giving the proposed power to two-thirds of the inhabitants; he did not think the decision of such a majority was sufficient, but to be effectual it appeared to him necessary that nearly the whole of the inhabitants should be unanimous on the subject. If such was not the case, it would produce greater indignation and more ill-feeling, and would keep the towns in a greater state of excitement than at the period of a contested election. For these reasons he was of opinion that if the Bill passed it would encourage illicit trading, and that it would thus create a fresh evil without removing the old one.

Mr. JACOB BRIGHT said, he was glad his hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) had again brought before the House his well-known Bill. It was a real attempt from a sincere quarter to deal with one of the most difficult questions of the time. The present system was supported by a powerful organization, and unless there was an organization of corresponding power on the other side it would be difficult in this House to approach the question. They were told how many Acts of Parliament were passed in reference to the liquor trade—they were almost innumerable; but those Acts had been passed under a very different condition of opinion from that now existing. They had been in the main for the regulation of the traffic, and in some instances for its extension. The next time the Government put their hand to the work they must give them a Bill unlike its predecessors. When they looked to the demoralization that resulted from excessive temptation, and the enormous waste produced by it, it must be considered that it would be a loss of time on the part of the Government to undertake to pass another measure, unless by it they would enable the people of themselves to bring about a sharp and general limitation of the traffic. He did not desire the Bill to pass in its present shape, but would vote with his hon. Friend the Member for Carlisle. In coming to that decision he suspected he was like other Members; for he had noticed during the debate that there was scarcely one Member who gave his entire adhesion to the Bill. He was in favour of a measure perhaps as radical as this, and based upon the same principle. The Bill proposed to call upon parishes or districts to come to a general vote whether this traffic should or should not be carried on. If a sufficient number of the rate-payers decided that it should not be carried on, then it would be totally extinguished in the district—not only the retail traffic, but the wholesale. Now, he had a very great objection to this result. If they were dealing with dangerous or poisonous beverages, he could understand perfectly well that it might be desirable they should be procured only on a doctor's certificate; but when they reflected on the character of these beverages, and the extent to which they were consumed by the mass of the people, such beverages as Bass's and Allsopp's ales, and wines from the Rhine and Bordeaux, which certainly never did any harm to anybody, and had very remarkable tonic powers, he should greatly regret any such result. The Bill, in fact, either permitted the present system to exist, or extinguished the traffic entirely. Even if the Bill passed, the effect might be not to disturb the great evil now existing, but to allow the temptation to continue in its full strength in parts of the country where the measure would not operate. In fact, for years, and perhaps for generations, though the Bill might pass this week, all the evils of which the hon. Member for Carlisle complained would exist to as great a degree as ever in our large towns. He wanted, therefore, some more practical measure. The right hon. Member for Bradford (Mr. W. E. Forster) had discussed the subject very fairly, but he would go even further in the same direction. A Bill was introduced by the hon. Member for Liverpool (Mr. Graves) two years ago, which had created a great deal of attention, and whose principles were well known and approved. When it came into that House it was backed by a Petition, signed by 88,000 inhabitants of Liverpool, which was in itself a proof that it was highly approved by the inhabitants of that great city. It proposed to have only one class of victualling houses, to do away with the licenses of magistrates, to establish certain conditions of conduct and character, and to let every one who chose get a license if he observed those conditions. But the leading feature of the scheme, in which it went beyond the proposition of the right hon. Member for Bradford, and to which he would gladly give his own adhesion, was that no new licenses should be granted without the rate-payers of the locality having a voice, and a decisive voice. It proposed further a popular veto on every existing license, and that they should not be valid in any case for a longer term than fifteen years. He should like very much to leave the rate-payers free to deal with existing licenses when they changed hands.

MR. W. E. FORSTER explained that what he had suggested was that the rate-payers might make representations to the magistrates against the increase of public-houses, and for the diminution of their numbers, to which they should be required to assent.

MR. JACOB BRIGHT: If this veto were given to the rate-payers, what would be the result? If there were this dislike to public-houses, and a conviction that their extreme abundance was damaging to the best interests of the population, new licenses would not be granted, and when the old houses were ill-conducted or excessive in number they would be weeded out. He had been told, in discussing the matter with hon. Members of that House, that this was the Permissive Bill in another shape, and gave the rate-payers power to extinguish the traffic if they chose. Of course it did; but if he understood it, the magistrates now had that power, and if they could only convince the magistrates, and make them somewhat fanatical on the subject, they might arrive at the same result now. But under the working of such a system as he spoke of, after the public-houses should have been diminished to the point of supplying the necessary wants of the population, there would no doubt be a change of feeling in the matter, the best houses would be undisturbed, and anyone would have the opportunity of obtaining what he wanted. He did not blame the Government for not having legislated on this subject; indeed it was notorious that the last House had been fettered on the question in a manner which made it very difficult for Members to come and vote and speak exactly as they liked. Now there had been a great change of opinion on the question, and a feeling appeared to have sprung up in favour of a strong Bill. He himself was in favour of a revolutionary Bill. He found that the times were revolutionary; and the more revolutionary a measure, the better chance it had of passing that House. Hon. Members opposite found that two years ago in dealing with the franchise; and now, as to the Church Bill, everybody knew that if it had been less extreme and less radical, the party with which he sat would have been split in pieces. There was no use then in dealing with this question unless by a revolutionary Bill. Government might go on in inaction for some time longer, but they would never settle it unless they gave the people power to settle it for themselves.

Lord CLAUD HAMILTON said, he thought the Bill, to a great degree, objectionable on the ground that the correction of the evil of drunkenness should be left to the conscience of the individual; however, he would prefer to over-ride that fault in the legislation proposed, and give his vote in support of the Bill because of the gigantic proportions of the evil with which it sought to deal. The questions that occurred to him were many, and amongst them he should like to know whether drunkenness was to go on unchecked, and he might say almost unreproved by the Legislature, while it continued to be a frightful source of misery in domestic life? Was it to go forth that, while the people acknowledge the necessity for remedial measures, Parliament was impotent to apply them? He readily acknowledged the difficulty in the way of a Member who proposed to carry a Bill independent of the Government; but, in the absence of a declaration from the Government, he was bound to support the Bill for the sake of the thousands who were looking for some action on the part of Parliament in the matter. With reference to what had been stated by the hon. Member for Berkshire (Mr. Walter), he thought that if drunkenness amongst the upper classes was more to be reprobated than amongst the more humble, it was because the upper classes had less excuse for failing in that respect. He hoped the hon. Baronet (Sir Wilfrid Lawson) would persist in his endeavour to have the Bill read a second time, as he should not wish it to go forth that Parliament was averse from attempting any remedy for these acknowledged evils. Thousands of persons were looking forward to the passing of the Bill, and, therefore, he hoped the House would agree to the Motion of the hon. Baronet the Member for Carlisle.

Mr. BRUCE: I rise, Sir, in answer to the many appeals made to me, as the representative of the Government, by hon. Members in the course of this debate, and it will be for the convenience of the House, and tend to the despatch of business, if I at once announce my own opinion and that of the Government upon the Bill at present before us. I heartily join in the numerous congratulations which have been offered to the hon. Baronet (Sir Wilfrid Lawson) on the manner in which he has introduced his Bill to the House. I have never heard so extreme a measure brought forward with so much moderation. I need hardly say that the magnitude of the evil complained of, and now sought to be dealt with by the Bill, is fully admitted by me; and it is further impossible to deny that changes—perhaps very considerable changes—in the present system ought to be made. The question is not simply the influence of drunkenness upon crime, but it possesses even a wider scope, and is one affecting the whole happiness of the people of this country. It is not simply a question of drunkenness or no drunkenness, but of evils which touch the happiness and welfare of the people at every step. We have only to look at the wives and children reduced, if not to absolute starvation, to pinching want, through the selfishness of those to whom they have a right to look for protection, and at the multitude of opportunities cast in the way of those who, from want of education, are but ill-armed to resist temptation, to obtain some conception of the vastness of the evil. To cure this evil, the hon. Baronet by his Bill proposes to take a very short cut. He seeks not to regulate the trade in intoxicating liquors, but to give permission to those whose minds are disturbed upon the matter to put an end to the trade altogether. In other words, he desires at once to put it in the power of the better educated to stop the drunkard's supply. I think that my hon. Friend would have adopted a wiser course, and would have shown more judgment, if he had brought forward a measure of a more moderate character with regard to the degree of interference of the inhabitants of a district. The extent to which rate-payers should be admitted to the control of beer-houses has never yet been fairly discussed in the House. The point was certainly introduced into a Bill that was brought in by the hon. Member for Liverpool (Mr. Graves); but, if I remember rightly, the modified application of the principle of interference now proposed was not thoroughly discussed in the House. I cannot but agree with those who say that the most complete remedy for the evils of drunkenness is to be found not in the legislative enactments of Parliament, but in the better education of the people, and in imbuing them with a better appreciation of their own interests. To the large amount of intellectual resources which they possess for the improvement and entertainment of their minds is due the almost entire disappearance of intemperance from the ranks of the upper classes. I agree with the noble Lord the Member for Liverpool (Viscount Sandon) that a great improvement has taken place in the habits of the working classes of this country. But, unfortunately, the enormous increase in our population has not been followed in the same ratio by education or mental improvement, and that is one of the causes of the evil complained of. The fact is that drunkenness does not exist amongst the permanent working classes, but there is a large portion of the population of this country vacillating between a state of semi-starvation and occasional employment, and this class it is which is tempted to resort to public-houses as a refuge from misery and often despair. In proportion, then, as the Government is able to improve the physical as well as moral and intellectual condition of such as those to whom I have referred, will drunkenness disappear. But though, as I have said, education in the largest sense is the true cure for drunkenness, I do not mean to argue that there is any reason why Government should not sanction the introduction of repressive or preventive measures against this great and growing evil. I fully admit the necessity of adopting some leniently restrictive measures. I shall, perhaps, be asked why it is that with all this admitted evil, no remedy has as yet been found for the unfortunate state of things undoubtedly prevailing through drunkenness. My reply briefly is that hitherto no Government has felt itself sufficiently strong to carry such a measure as would bring about the object desired. I shall not, I think, be charged with betraying the secrets of my official position if I tell the House that there exists at the present time, in the records of the Home Office, a draft of a Bill which has been approved by successive Secretaries of State, which I believe could be made, with a few alterations, competent to effect a great improvement in the laws relating to licenses and the sale of intoxicating drinks. That Bill has not been brought forward because successive Governments have not felt sufficient confidence in their ability to carry it through the House, for, as it is well known, the influence of publicans both in boroughs and counties has always been very strong. That is one reason; another is, that all concerned in the matter have recognized it to be a dangerous thing to interfere with large private interests. The great extension of the franchise recently effected is undoubtedly calculated to dilute that influence, and Members of Parliament may in future feel themselves at greater liberty to deal with such a question as the present according to their own inclinations, and with less fear of the influence of that portion of their constituents more immediately concerned than they have hitherto done. If the House will permit me I will briefly sketch the outlines of such a Bill as I shall be glad to see presented to the consideration of Parliament. In the first place, I would say that any measure worthy of the acceptance of the House must provide security against public-houses being kept by improper and irresponsible persons; and must also provide remedies easy of application, but severe and stringent, in the event of misconduct. The Bill, it is obvious, must likewise deal with what it will be admitted on all hands is a question of great difficulty—I mean the limitation of the hours during which public-houses are allowed to remain open for the sale of liquors. In dealing with this branch of the matter, the Minister, whoever he may be, who has charge of the measure, will require the courageous support of the Members of this House. Another difficult question, and one upon which I speak with less freedom, is the extent to which the restrictive power, in regard to granting licenses, should be exercised by those in whose hands that power is placed. It will be within the recollection of the House that the right hon. Gentleman's (Mr. Villiers's) Committee recommended putting a high price upon the license, and getting security as to the good conduct of the house; but I am bound to say that public opinion in the present day requires some further security. The question is in whom shall the power of restriction be vested? By some it is thought that it ought to be in the will of the resident rate-payers, as is shown by the current of the present debate. There are others who would like it reposed in the magistrates, and some suggest that the power of restriction should be exercised by a body specially elected for the purpose. On these different views I will not now express an opinion; but I do not hesitate to confess that I think there is some reason in the demand that the number of public-houses in a district should be uniformly regulated according to the population. I have been asked whether, on the part of the Government, I will undertake to deal with this great question? I believe it is the honest and fixed determination of the Government to take up the matter in the next Session; and I will go beyond this and tell the House that when the Government deal with it, it will be in an efficient manner. I do not say that a measure will be proposed like my hon. Friend's, which will at once deprive some portion of the people of their innocent enjoyments, and even the owners of public-houses of their property. Such a measure the Government consider unnecessary and unjust; because, although the admitted evils of drunkenness are great, it is impossible to deny that public-houses furnish to the people the means of social enjoyment and comfort. It is not true that the majority of the people who enter public-houses do so for mischievous purposes, but numbers use them only in a proper manner. My hon. Friend has told us, as an argument in support of his Bill, that in certain districts people are perfectly satisfied to have no public-houses at all, and he drew our particular attention to the case of Saltaire. It must, however, be borne in mind that when Mr. Titus Salt refused to allow—having complete command of the district—any public-houses in the neighbourhood of his own residence and property, he at the same time provided other means of recreation of a more innocent character for the people, and in this is to be found the source of their content. You will never, I feel persuaded, succeed in abolishing drunkenness unless you can provide a good substitute for public-houses in the shape of places where the people can have free access for the purpose of innocent enjoyment. My objection to the Bill of the hon. Baronet is that it is calculated not only to cause a great deal of disturbance in many parts of the country, but must almost inevitably be productive of riots. There are probably no better educated places than the States of New England, and when we find that there objections are raised against the prohibition of the sale of spirits, what may we not expect to result from the enactment of such a measure as that proposed by the hon. Baronet in the populous towns of England, where there are such large masses of ignorant people, whose whole pleasure appears to arise from sensuous enjoyments? It is proposed by the hon. Member that a majority of two-thirds of the rate-payers of a district shall be at liberty to put the Bill in operation, but in this proportion he ignores a large proportion of those who are most interested in the matter. Two-thirds of the rate-payers leave much more than one-third of the population on the other side; or, the more important part of the population, as regards this matter, because it is made up to a large extent of those who live in all the discomfort of lodgings. If the lodgers, and the other classes who are not ratepayers, are considered, there will probably be a considerable majority of the population found to be of the opposite way of thinking to those who wish to close public-houses. My hon. Friend says that he would leave the matter to be decided by the majority of the population; but, as I have just said, the question would really be decided by those least interested—interested, that is, only as far as regards peace and order—and careless how far the humbler classes of society are deprived of their pleasure. I do not think it is the duty of the Government to deprive the population of the source of a great deal of comfort and innocent enjoyment, to prevent drunkenness and disorder amongst a small section. At the same time they are bound to remove, as far as they can, the causes of crime and gross self-indulgence. One great means of remedying these evils will be to prohibit the traffic in liquors during the late hours of the night. I have thus marked out the course which I think ought to be pursued to settle the question. I trust, therefore, that the House will agree with me in opposing the second reading of this Bill, a course which I should be reluctant to take, were I not prepared myself to submit a measure which I believe will be a great improvement upon the present state of the law, while it will not be felt by the great mass of the people to be an interference with their rights and comforts. The Legislature showing itself willing to take the matter in hand, I am satisfied that the people of this country will be content with a measure far less sweeping in its operation, and less unjust to the interests of a large class than that now proposed by the hon. Baronet.

MR. GRAVES, on the part of his constituency, offered his thanks to the right hon. Gentleman the Secretary of State for the Home Department for the intimation he had given of the intentions of the Government on this subject next Session. Three years ago he (Mr. Graves) introduced a measure to remedy the evils complained of, but although it was backed by no less than 88,000 persons in Liverpool alone who petitioned in its favour, he withdrew the Bill in deference to the wish of the then Government, and to the pledge that they gave him that they would themselves grapple with the question. It appeared to him to be futile for any private Member to attempt to legislate on this subject, which should be left in the hands of the Government. As the Government had now assumed the responsibility of dealing with the evils complained of, he thought that a perseverance with the present measure could do no good, but, on the contrary, that it would have the effect of impeding the intended action of the Government. Under these circumstances, therefore, he hoped the hon. Baronet (Sir Wilfrid Lawson) would at once see the propriety and the wisdom of withdrawing the measure. In the event of such a course not being adopted, he hoped the House would reject the Bill, on the ground that nothing could be more embarrassing to the Government and the question than the reading the Bill for a second time.

MR. M'LAREN said, he could not conscientiously vote for the Bill passing in its present shape, though he commended the motive which prompted its introduction. He did not think it would be right to give to two-thirds of the inhabitants of a parish the power of putting down all licensed houses in that particular locality. With this exception, he was prepared to go almost any length to mitigate the evils of intemperance. As to new licenses, he could not imagine any reasonable objection to giving the inhabitants a veto upon them. If a public-house was established in a new locality, the rent of the house increased probably 50 per cent, but what was the effect upon the property surrounding and adjoining it? Why, it was depreciated to the same or a greater amount; and, therefore, why should one proprietor, who cared nothing about the interests of his neighbours, but was bent upon one object—the love of money—be permitted, for his own personal aggrandizement, to injure the property of others? If one proprietor had the right thus to injure his neighbours, why should not another be permitted to convert his house into a manufactory of fireworks, to the injury and danger of the surrounding property? By comparing the number of public-houses in certain large towns with that in other large towns, the Home Secretary might ascertain what number of public-houses were really sufficient for a given population, and Parliament fix a limit accordingly. He was not in favour of depriving parties of licenses in a wholesale way; but vacancies would arise in more ways than one. Such licensed houses as had been convicted more than once he would deprive of the license. Again, in case of the death of the owner of a licensed house, he held that the license should not be renewed if there were a reasonable number of licensed houses already in existence. One of the master evils, however, was the means taken privately to induce magistrates to grant licenses. In his opinion it was as immoral for magistrates to act on private solicitations as it would be for the

Judges of the Court of Queen's Bench to listen to private solicitations with regard to decisions they should give on the case before them. He was of opinion that the body intrusted with the granting of licenses was much too large, and that a committee, consisting of, perhaps, one-third of that body should be appointed to deal with the question of licenses. Further, he should recommend that each member of the committee should sign a declaration that he would not hear any solicitations privately as to the granting of a licence, but that everything connected with them should take place in open court. If such arrangements were made, he had no doubt it would work most satisfactorily, and that it would, in a great measure, stop an evil which was now so loudly complained of. It was said that the poorer classes would be injured if legislation of this kind were passed, but he believed that those were the very persons who would be most benefited by such legislation, and none, he felt quite certain, would be more ready to express their gratitude than the poor; for they were now pressing for such legislation.

Mr. RATHBONE said, that one of the great matters that the General Election made all who took part in the exciting contest acquainted with was the deep and settled feeling which the better portion of the working classes took in the subject now under discussion; and all persons brought into contact with the ministers of religion, Scripture readers, and missionaries who worked in populous districts, must know that they had become almost fanatics with regard to it. His own experience of hospitals and workhouses would have made him a fanatic also, if he could believe that the measure of the hon. Baronet (Sir Wilfrid Lawson) would fully carry out its purpose. The present Government were not only strong in the majority they had in that House, but also in the sympathies of the working classes, and in the belief which the working classes entertained that the leading members of the Administration sympathized strongly with their interests and wishes. He hoped, therefore, that on the very first day of the next Session the Government would lay on the table a measure which would settle the question for many years to come, and that would be far better and more satisfactory to all parties than the course proposed by the hon. Baronet. The experience of America showed that any measure very much in advance of the feeling of the people would be a failure. The supporters of this Bill alleged that it would never be in advance of the feelings of the people, because it was the people themselves who would have the decision in their own hands. But he believed it would not now be adopted by any large number of places; and what they wanted was legislation which should cope with an evil too pressing to be allowed to go unchecked. In Liverpool they cared more for putting an end to the evil than for hushing it up, and they had a regulation that anyone taken up for drunkenness must be brought before a magistrates before he could be discharged. But it appeared from a report of a chief constable in one of the largest towns in Scotland that no fewer than 22,265 persons were taken into custody in that town who were discharged by the police, without being brought before the magistrate, and whose names had not appeared in the statistics on that subject. If they had that town would have taken precedence of Liverpool in the matter of drunkenness. He believed that the majority of people out-of-doors and the majority of hon. Members were of opinion that some modification was required in the power now in the hands of the magistrates as to the granting of licenses. It might be very well to leave in the hands of the magistrates the power of deciding as to the character of a man or a house, but to leave in their hands the power of deciding how many licenses were sufficient for a neighbourhood was injudicious, and cast upon them an odious responsibility. He therefore hoped that in the measure promised by the Government they would not omit to take that matter into their consideration.

Mr. D. DALRYMPLE said, he was anxious to answer the challenge that had been thrown out to him—namely, to state his intentions when he proposed to move an Amendment to refer the Bill to a Select Committee. If anything were wanting to prove the policy of this course he should find it in the speeches made that day, in which it was generally admitted that the question was beset with difficulties, and that i demanded much more consideration before any legislation likely to cure the evil could be entered upon. Not one of the Members who had addressed the House on the subject had expressed entire approval of the measure. Before the commencement of the present Session the hon. Baronet would remember that he had made an offer to leave the matter in his more able hands, provided he would consent to refer the Bill to a Select Committee; but his offer was declined; and he thereupon gave notice of his Amendment. It would require to be shown before a Committee that there were no other remedies but such as this extreme measure afforded effectual to put down drunkenness, and that such influences as religion and education, which had such a beneficial effect upon the upper classes, would not in time similarly affect the lower. To show that he was not opposed to the object which the hon. Baronet had in view, he would follow him into the Lobby should he go to a division. It should not, however, be forgotten that the Wise man—though, by the way, he was not exactly wise in everything—who had said "Wine is a mocker, strong drink is raging" had also said—

> "Give strong drink unto him that is ready to perish, and wine unto those that be of heavy heart. Let him drink and forget his poverty, and remember his misery no more."—[*Proverbs* xxxi., 6-7.]

SIR GEORGE GREY said, he had to appeal to the hon. Baronet (Sir Wilfrid Lawson) with whom he entirely sympathized in the general object he had in view, not to press the House to a division after the debate that had taken place. He could not give his support to the Bill, and after that long and, he might add, fruitful discussion, he hoped he would consult that which appeared to be the general wish of the House—namely, withdraw the Bill; more especially as he had received the assurance of the right hon. Gentleman the Secretary for the Home Department that the Government intend next Session to take up the question of the licensing system. Although the speech of the hon. Baronet was characterized by great ability and moderation, it had failed to remove the objections he entertained to the measure. He appealed to the House whether the whole of the hon. Baronet's speech did not point to total prohibition. The hon. Baronet had said that drunkenness was the great cause of crime and pauperism; and he (Sir George Grey) could say he only differed with the hon. Baronet on that point as to a single word, because he could only admit it to be a source and not the source of pauperism and crime. They were all agreed that drunkenness was a great evil and productive of much crime; but, having listened to the whole of the debate, he had gathered that the opinion of the House was not in favour of absolute prohibition, and was not inclined to sanction the principle of this Bill, although it was not averse to some great change being made in the licensing system—a task the Government had announced its intention of taking up. He agreed with his right hon. Friend that the recent alteration in our representative system offered greater facilities than existed at any time that he remembered for dealing with this question; but what possible advantage could be gained by inducing a number of Gentlemen, who, if he was not mistaken, would be in a considerable minority, to pledge themselves to the principle of absolute prohibition, and thereby fetter them in the impartial consideration of the question when it should come in another shape before the House? The hon. Baronet had done good service in bringing the question forward; it stood now in a more favourable position than ever it did before; but all who had spoken in favour of the second reading, except one, had differed from him in some important particular. He trusted the hon. Baronet would see the expediency of adopting the suggestion that had been thrown out; and as no advantage could by any possibility accrue from dividing the House, he hoped he would refrain from doing so, and rest satisfied with the declaration he had elicited from the Government.

SIR WILFRID LAWSON, in reply, said, he did not in the slightest degree under-rate the importance of the announcement of the Home Secretary, who, if he understood him correctly, promised that in the measure to be brought forward by the Government at the commencement of next Session, very probably, a power would be inserted in the Bill giving the inhabitants the right to object to an extension of licensing in the opening of new public-houses.

MR. BRUCE said, what he meant to convey was that it would be necessary to consider what restrictions might, or might not, with safety, be adopted. That, of course, would afford matter for the most anxious consideration.

Sir WILFRID LAWSON said, that was not the scope of the Bill he had submitted to the House. The new houses had done nobody any harm yet; the old ones had. He could not but thank his right hon, Friend for the manner in which he had spoken of the evils of drunkenness in the beginning of his speech; but he seemed to think there was a difficulty in giving to the ratepayers the power of prohibition, as the larger number, who were not rate-payers might differ in opinion and desire to have the public-houses. He (Sir Wilfrid Lawson) should be very glad to have a wider franchise, but he must take things as he found them, and, at any rate, was the decision of the rate-payers more oppressive than the casting vote of one magistrate? His right hon. Friend had appealed to him to withdraw the Bill; he was fully aware of the good intentions of his right hon. Friend, but they all knew how many subjects would have to be dealt with during next Session, and the House would forgive him for saying there might be a slip between the cup and lip, and such an important measure even as that might be pushed out of the way. He did not think he should be doing his duty to those who took such an interest in the matter if he were not to ask the House to divide upon the principle of the measure. All he desired was that they should decide on the principle of the Bill, which was, that licenses for public-houses and beershops should not be granted to those localities where there was a majority of two-thirds of the ratepayers and a strong public feeling against them.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 87; Noes 193: Majority 106.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

COUNTY COURTS BILL—[Bill 9.]

(*Mr. Norwood, Mr. Akroyd, Mr. Mundella.*)

SECOND READING.

Order for Second Reading read.

Mr. NORWOOD, in moving that the Bill be now read a second time, said, its object was to enable a creditor living more than twenty miles from his debtor to bring an action in the court of the district where such creditor resides, and thus to obviate a considerable hardship which had been inflicted upon plaintiffs by the County Courts Act of 1867. Before the passing of that Act plaintiffs had a right to bring their action in a superior court, but they were now compelled to bring any action for a sum less than £50 in the County Court of the district in which the defendant resides. This caused great inconvenience. In by far the great majority of cases there is no defence to the action, and plaintiffs found when they had travelled 100 or 200 miles to prove the debt, that they lost their expenses and their time unnecessarily. An objection had been taken by the hon. Baronet the Member for Reading (Sir Francis Goldsmid) to the Bill, when it was last before the House, that it might work injustice to defendants; and in order to meet that objection he had drawn up a proviso which, when the Bill was in Committee, he would move. It was to the effect that if the defendant in any action shall make an affidavit that he has a good defence, and shall give reasonable security for costs, the registrar of the court may make an order transferring the cause to the County Court of the district which the defendant resides.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Norwood.*)

Sir FRANCIS GOLDSMID said, he was of opinion that it would be quite sufficient for all purposes that the defendant should make an affidavit that he had a good defence without requiring him to give security for costs. As notice of the clause had been given only last night, perhaps the best course to be taken would be to allow the Bill to be read a second time; and before it should go into Committee ample opportunity should be given to the Attorney General to consider whether the proposal of the hon. Gentleman was sufficient to protect defendants against vexatious actions.

Mr. MUNDELLA said, he thought that the measure was much misunderstood. In 75 per cent of the cases in which a creditor in London sued a debtor in the country the debtor had no defence. The plaintiff was now required to send his agents or his clerks to a distance to prove the debt; and after he had incurred considerable expense indoing that the result was that the defendant put in no appearance; and in addition to the one bad debt for the sale of the goods another bad debt was made in the loss of expenses. That system operated as much against the interest of the small trader and purchaser, by stoppage of credit, as against that of the large dealer. In one instance the cost of obtaining a judgment for a debt of £11 14*s.* 7*d.* amounted to £19 4*s.* 7*d.*, that large expense being occasioned, to a great extent, by the necessity for several of the plaintiff's witnesses to travel a long distance. Some of the largest London merchants abandoned debts of £5, £10, and £20 due to them because they could not go or send their clerks so far to prove them. It was absurd to suppose that great merchants were desirous of suing men in the country for debts that were not justly due; and the clause providing that the defendant might make an affidavit that he had a good defence and should give security for costs would be sufficient to protect him from hardship. If the defendant had a good defence the plaintiff would of course pay all the costs. Nearly every Chamber of Commerce in England was in favour of the Bill, and he hoped it would now be read the second time.

Mr. G. GREGORY was understood to say that to compel the debtor to give security was objectionable, and his simple declaration that he had a good defence ought to relieve him from the necessity of going a great distance from his home to resist what might be an unjust demand.

Mr. DENMAN said, he would support the second reading, in order that the Bill might be carefully watched and amended in Committee. Whether it would be a good or a bad Bill would depend upon how it was shaped in Committee. There were cases in which it was now a hardship for the plaintiff to have to follow the defendant all over the country; and, on the other hand, it would be a considerable hardship on the defendant—who was generally the poorer party of the two—to be obliged to fight his case in a court a long way from his own home. He understood his hon. Friend who had the charge of this Bill was prepared to consider any Amendments which might have due regard to the justice of each case.

Mr. COLLINS said, he thought the measure, as it stood, ought not to pass. Whether it could be so altered in Committee, as to remove the objections to which it was liable, was another matter. A mere affidavit, in the simplest form, that the defendant believed he had a good defence was all that was required. Without opposing the second reading, he hoped the hon. Member for Hull (Mr. Norwood) would be very careful in introducing such Amendments in Committee as would, in fact, make the Bill a different Bill from the one now before them.

Mr. M'MAHON said, he thought it doubtful, whether they ought really to agree to the second reading. The third and fourth clauses of the Bill were in themselves pernicious. The Summary Procedure Act went altogether on a wrong foundation, giving a preference to promissory notes and Bills of Exchange which it did not give to documents of greater weight—that was, under seal; and there was no reason why such a power should be extended to County Courts, and to all sums under £5, not payable by instalments. It might be all very well that the great London merchants should be able to drag their debtors from Northumberland, Cornwall, or Wales; but such a power might be abused by spiteful creditors, or by persons who were not merchants or traders at all. The question was one that ought to be taken up by Government.

Mr. MUNTZ said, he did not see the necessity of troubling the Government to take charge of the measure. There was need of such a Bill; as, at present, traders were in the habit of ordering goods to a small amount by letter, and in some cases they did not pay, relying on the wholesale dealer not thinking it worth his while to travel a long distance to prove the debt. Great complaints had been made of the large expenses incurred in obtaining redress in the County Courts; and he thought, as the hon. Member for Reading (Sir Francis Goldsmid) had promised to move an Amendment in Committee to meet the case, the Bill ought to be read a second time.

Mr. M. CHAMBERS said, he thought if the Bill was really required, it ought to be introduced by some Member of the Government. Its principle was that the great traders were to have a certain privilege, while the small traders, who lived at a distance, were to be put in a different position; and to that he altogether objected. In a busy Session like this, ought the House to read a confessedly imperfect measure the second time, and assent to go into Committee, to do what the framers of the measure ought to have done for themselves?

Mr. STAPLETON said, when the Bill was first discussed, some time ago, it was suggested by the Attorney General that it should be remodelled. Its author had accordingly proposed to amend it; but the House had not had an opportunity of seeing and examining those Amendments. It should, he thought, now be withdrawn; and, if deemed necessary, be afterwards brought in on the responsibility of the Government. In undefended cases, some additional privilege might be given to creditors; but beyond that he was not prepared to go. If the second reading were agreed to, certainly the Bill ought to be discussed when the Law Officers of the Crown were present on the Motion for going into Committee.

Mr. NORWOOD explained that the Bill was confined to traders; and whether those traders were poor or rich, they could equally avail themselves of its provisions. He also protested against the *dictum* that a private Member was not to be at liberty to initiate any legislation for the removal of any proved defect in the existing law, and he could not see that he was bound to wait, under all circumstances, for the attendance of the Law Officers of the Government.

Mr. STAVELEY HILL said, he believed that every clause of the Bill but the 5th had received a fatal wound, and even that solitary exception could also be shown to be open to serious objection. Where a claim in the County Courts amounted to £5, no defence could be heard, unless six clear days' notice were given of an intention of putting in a defence. In many cases there was no opportunity of giving such notice. This Bill would aggravate the present state of things. He therefore appealed to the hon. Member for Hull (Mr. Norwood) to withdraw the measure, and either bring it in himself, in an amended form, or leave it in the hands of the Government.

Sir GEORGE JENKINSON said, that, unless either of the alternative courses suggested by the learned Member who spoke last were adopted, he would move that the Bill be read the second time that day six months.

Debate *adjourned* till *To-morrow.*

COUNTY COURTS (ADMIRALTY JURISDICTION) ACT (1868) AMENDMENT BILL.

On Motion of Mr. Norwood, Bill to amend "The County Courts (Admiralty Jurisdiction) Act, 1868," and to give jurisdiction in certain Maritime Causes, *ordered* to be brought in by Mr. Norwood, Mr. Headlam, and Mr. Candlish.

Bill *presented*, and read the first time. [Bill 121.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 13*th May*, 1869.

MINUTES.]—*Sat First in Parliament*—The Earl of Hillsborough after the death of his Father.

Public Bills—*First Reading*—Recorders' Deputies* (105); New Parishes and Church Building Acts Amendment* (106).

Report—Government of India Act Amendment (94-104).

Third Reading—Civil Service Pensions* (53), and *passed.*

Royal Assent—Consolidated Fund (£17,100,000) [32 *Vict.* c. 8]; Salmon Fisheries (Ireland) [32 *Vict.* c. 9]; Colonial Prisoners Removal [32 *Vict.* c. 10]; Merchant Shipping (Colonial), 1869, [32 *Vict.* c. 11]; Naval Stores [32 *Vict* c. 12]; Militia [32 *Vict.* c. 13].

PRIVATE BILLS.

Standing Order No. 179. sect. 1. suspende (according to Order); and the time for depositin Petitions praying to be heard against Privat Bills, which would otherwise expire during th adjournment of the House, extended to the firs day on which the House shall sit after the reces at Whitsuntide.

GOVERNMENT OF INDIA ACT AMENDMENT BILL.

(The Duke of Argyll.)

(NO. 94.) REPORT.

Amendment *reported* (according to Order).

THE EARL OF ELLENBOROUGH commented on the impolicy of disturbing arrangements in important affairs only a few years after those arrangements had been made. Now, he was not aware that any circumstances had arisen which should induce the Government to bring forward this measure, making great and important alterations in the Government of India. That Government had been established after great deliberation first in the House of Commons and afterwards in their Lordships' House. It was only eleven years since that great measure had passed, and he had not heard of anything that had happened since that time from which it could be inferred that the system then established had in any way obstructed or seriously delayed the course of Public Business; on the contrary, he had always understood that the Council of India was regarded as an admirable vehicle for the conduct of public affairs. He could see no reason therefore for this important change. The great object of the Act of 1858 was to render the members of the Council independent by giving them a tenure of their office for life. The framers of the present Bill seemed to have a fear of the undue longevity of the members of the Council, and therefore proposed to alter the life tenure by making the members elective for ten years, with power of re-election under peculiar circumstances for five years more. Now, there was no doubt a great advantage in having an infusion of fresh blood into the Council of India, as well as in other institutions; but he did not believe that would be gained by giving a tenure of office for ten years, for in this case an appointment for ten years must be much the same as an appointment for life. Therefore, the change was not, as far as he could see, accompanied by any corresponding benefit. He did not understand the grounds on which the noble Duke proposed to make these great alterations in the Government of India. Alterations made in important matters in rapid succession must tend to impair the confidence of the public in the legislative wisdom of Parliament. It seemed to him as if they were treating the great interests of the country as children treated a house of cards. No sooner was a system got into working order and was promoting the public good than a Minister came forward to suggest great and extensive alterations. It seemed as if a Constitution was intended for nothing else but to be mended. He believed this was highly prejudicial to the public interests. It destroyed confidence in public men; and therefore he must say "Not-content" to the measure.

THE MARQUESS OF SALISBURY said, the professed object of the Bill was to provide a quicker succession of Indian councillors, and he concurred in the desirability—India being in a condition of such rapid change—of having councillors possessed of recent knowledge of the country. He proposed, however, that instead of effecting that object by the means proposed in the Bill—that the Council should be partly elected and partly nominated — all the members should be nominated directly by the Crown, and would move an Amendment having that effect. This suggestion he offered on the second reading, but the noble Duke did not appear to understand him, his reply being that though he could work with a smaller Council he saw no need to reduce its number. Now, he (the Marquess of Salisbury) did not himself think the number too large, bearing in mind that much of the routine work must be done by them; but it would be more consistent with the practice in other Departments of the State that all these officers should be appointed by the Crown. This was the opinion of Lord Palmerston and of Lord Derby at the time the system was first proposed; and the opinion which was ultimately adopted, that a portion of the Council should be elected, was adopted only for the sake of getting rid of what was, at the time, a great political difficulty. It was considered highly desirable that a change so important in the constitution of the Council of India should not have to encounter the opposition of the Directors of the East India Company, and to get rid of their opposition the present plan, which was their suggestion, was adopted. But the reason for this state of things had long passed away, and he would not act upon the opinion originally entertained by all the statesmen of the day if he would not take the advice of the late Viceroy of India (Lord Lawrence), who sat behind him, and provide in this Bill that the Crown, through the Secretary of State, should nominate all the members of the Council.

Amendment *moved* to omit "elected or."—(*The Marquess of Salisbury.*)

THE DUKE OF ARGYLL said, he agreed with the noble Earl (the Earl of Ellenborough) that it was undesirable, unless there were strong reasons for it, to make extensive changes in settlements of important questions effected at a comparatively recent period. On this ground alone he would object to the Amendment of the noble Marquess. He attached some value, moreover, to the provision that part of the Council should be elective rather than nominated by the Crown, for he thought the elective principle materially contributed to the importance of the office, and the estimation in which retired Indians held it. While not desiring to increase the emoluments of the office, the Government were anxious not to detract from the consideration in which it was held; for distinguished men were often induced to accept it on that account rather than out of regard to mere pecuniary considerations. He was actuated by this further argument — that the elections by the Council had hitherto worked extremely well, as was shown by the names of the gentlemen who had been elected by the Council during the last ten years. Passing by those members who were elected by the old Court of Directors, who, though distinguished men, were, of course, elected on other grounds, he found that the first gentleman elected was Sir Henry Durand, undoubtedly one of the most able servants of the Indian Government; the second was General Baker, an officer who had rendered the greatest service, as he was sure his noble Friend behind him (Viscount Halifax) would give evidence, in all the difficult questions arising out of the amalgamation of the two armies; the third, Sir Robert Montgomery, one of the most distinguished servants of the East India Company, who furnished most valuable information to the Secretary of State with regard to matters connected with the Punjaub and the North-West Provinces; and the fourth, Sir Frederick Halliday, who was Lieutenant Governor of Bengal during the Mutiny, and gave important assistance to the Viceroy. When there were four elections successively of men of such eminence, he thought they might safely say that the system of election by the Council must be working well. A suggestion had been made by his noble Friend (Lord Lyveden) that persons appointed councillors should have returned from India within five instead of, as at present, within ten years. Now, suggestions of this kind at first sight appeared plausible; but under such a rule Sir Frederick Halliday himself would have been shut out from election, he having been nine years home — so that the Council would lost one of its most valuable Members. The Government had fully considered the question, and, acting very much on the principle laid down by his noble Friend, that no adequate reason could be shown for changing the system, they had decided not to accept the Amendment.

LORD LYVEDEN said, that the Bill had undergone no discussion in Committee, in consequence of the impatience of the House to proceed to an exciting personal and party question; and though there was, consequently, the more necessity for considering it fully at the present stage, he feared that another impending personal question would exercise the same untoward influence. He hoped, however, that the noble Marquess would press his Amendment, for both Lord Palmerston and Lord Derby originally proposed to place all the appointments in the hands of the Crown, and the present arrangement was only adopted in order to propitiate the East India Company to the passage of the Bill. It was no answer to say that very good men had hitherto been elected by the Council; that was not necessarily the result of self-election which led to an indecent canvass in the Council itself. Men equally good, if not better, had been appointed by the Crown, and there was no reason why the Crown should not nominate in this as in other cases. He was still of opinion that gentlemen appointed should not have left India longer than five years, for things were changing so rapidly in that country that recent experience and information were highly essential. In his opinion, the limitation of the term of office to ten years would be a decided improvement, for it would secure an infusion of fresh blood.

Viscount HALIFAX said, he regretted that the Bill had passed through Committee in so perfunctory a manner, owing to the anxiety of their Lordships to proceed to a personal or party discussion, and hoped it would now be discussed with due attention and care. He did not wish to exaggerate the question, whether the members of the Council should be elected or appointed by the Crown, into undue importance; for hitherto the best men had been put into the Council, however appointed; but he deprecated any measure which would diminish the independence and self-respect of that body, for a strong Council might be of great service to a Secretary of State in giving him the support requisite to resist the pressure of parties in this country—a pressure not always applied in a way conducive to the benefit of the people of India. He had no fears of the Council becoming too subservient, but he was jealous for their independence; for during his own experience as Secretary of State, he remembered several questions on which English interests or feelings were, to a certain extent, opposed to Indian interests. With regard, for instance, to the question of contracts in which the ryots of Bengal were so deeply interested, and by which their welfare might be so vitally affected, a feeling existed in this country which, had it been acted upon, might have led to the most serious consequences. A strong independent Council was of great value on that occasion. He agreed in the desirability of obtaining, from time to time, an infusion of new blood, for things in India were changing so rapidly that persons who had long left the country were, as a rule, of less service than those conversant with the existing state of things. The noble Earl opposite (the Earl of Ellenborough) was mistaken in supposing that a ten years' term of office was equivalent to appointment for life, for only one gentleman of those placed on the Council in 1858 had since been removed by death. The shortening of the period of absence from India would unduly fetter the choice of the Secretary of State or of the Council—and it must be remembered that there was no obligation to select gentlemen who had been absent nearly ten years, and, in fact, most of the councillors had returned home within a much shorter time. If the qualification were limited to five years' absence a most desirable man might be excluded on account of no vacancy occurring within that period. He himself first introduced the principle of nomination by the Act of 1853, for he had found that the election which was then in the hands of the holders of East Indian stock, being carried on by personal canvass of the shareholders, the best men were by no means invariably chosen. That might be a proper mode of selection, however, when the East India Company was a commercial body, but when it had become a political, rather than a commercial, body, it appeared to him indispensable to secure in some other way that the best men from India should be appointed. The members of the Council had as strong an interest as the Secretary of State in adding to their body the best men, and they had not elected any person whom he should not himself, had he been Secretary of State, have been quite ready to appoint. Indeed, he was bound to do justice, both to the Council and to the successive Secretaries of State who had preceded and succeeded him, and who deserved the highest credit for their selection of the fittest and most able men.

The Earl of ELLENBOROUGH said, he agreed with the noble Marquess (the Marquess of Salisbury) that the election by the Council being part of a compromise with the East India Company, no reason now existed for its continuance. He thought that the Bill conflicted with a great principle which should always be borne in mind—the principle that every person in the service of the State in India should look to the Crown alone for the reward of his services.

Lord LAWRENCE believed it would be better for the Council themselves, and better for India that all the members of the Council should all be nominated by the Crown, rather than that a portion of the Council should be elected by the members themselves. It was obvious to his mind that, whatever might be the sense of responsibility of a Council of fifteen members, that of the Secretary of State must be still greater; the Secretary of State was mainly responsible to Parliament and the country for the working of the government of India, and, therefore, so far as information went, he would always consult the different members of the Council as to the best man he could select; while the fact of the nomination being in his hands would give the best security for the best man being nominated. He thought also that there was an evil inherent in a Council elected by the members of the Council; that gentlemen who aspired to a seat at their Board would canvass the members for their support. It was not desirable to place councillors in a false position and encourage that tendency. The nominations by the Council and by the Secretary of State, he would admit, had hitherto been equally good; but, in the long run there would be a greater security for obtaining able men if the latter had the entire selection. As to the qualification, he thought the field of selection would be unwisely limited if confined to men who had not returned from India more than five years. It was true matters in India were in a transition state, but that transition was by no means, so great as was generally supposed. Certain changes were coming over India; but the feelings, sympathies, and aspirations of the people were very much what they were formerly. Were they themselves consulted, he believed they would prefer the selection as councillors of men of long standing in the service, rather than of younger men.

Lord CAIRNS admitted that there was great force in the argument that we ought not needlessly to interfere with a Constitution which had been settled by Parliament only ten years ago; but the existence of this Bill was a proof that in many cases the Constitution was to be interfered with, and therefore went far itself to answer the noble Earl's objection. Then, surely, when dealing with the tenure of office it was advisable to consider whether any other improvement could be introduced. No doubt the choice of councillors by the Council had so far been everything that was desirable; but he agreed with the noble Lord the late Viceroy of India that *a priori* the best system was that which made the Minister of the Crown answerable for the appointment of members of the Council. He thought he might venture to urge upon Her Majesty's Government that they should take that view, if upon no other ground, for the reason that it would only be reverting to the view taken by the Government of Lord Palmerston and the Government of Lord Derby in 1858. The introduction of the element of election by the Council themselves was a matter forced upon the Ministry in consequence of the strong feeling which the East India Company had upon the subject. The Secretary of State being answerable for the good government of India should also be responsible for the nomination, and he hoped that after the expression of opinion by the House the Government would accept the Amendment.

Earl GREY said, that but for the Council the Secretary of State would practically be without any check; for Parliament was too much occupied with other matters, and was too ignorant of the real state of India and its varied wants, to be able to interfere with advantage. Indeed, when it had interfered it had rather done harm than good. As for his Colleagues in the Cabinet, the general business of the Government was so exceedingly heavy that there was little hope of their considering a great Indian question with a real knowledge of the points to be decided. Moreover, under our form of government the Secretary of State for India must inevitably sometimes be a person of comparatively small experience and knowledge of Indian affairs—so that it was obviously a hazardous experiment to intrust him with almost unlimited powers in disposing of great questions. For these reasons nothing ought to be done to impair the independence of the Council, or the impression which existed both here and in India of its independence. He was persuaded that the power of electing a certain proportion of their own body had an important effect, and as the present system admittedly worked well, it was unadvisable to change it. While admiting the desirability of obtaining members possessed of recent information, he objected to fettering the discretion of the Council and the Secretary of State by fixing the limit of five years' absence from India; and he hoped the Government would consider the suggestion made on a former evening by the noble Lord (Lord Lawrence) by adopting a more liberal system of retiring pensions. It was good policy to induce the best men to join the Council, and also to provide against their remaining in the Council too long, when unfitted mentally or bodily for the efficient discharge of their duties.

THE DUKE OF ARGYLL said, he still thought the balance of argument was in favour of maintaining the present arrangement. If the House insisted on giving this additional patronage to the Government, they would, of course, still go on with the Bill, but it was right that the sense of the House should be taken upon it.

On Question? their Lordships *divided:* —Contents 89; Not-Contents 53: Majority 36.

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Somerset, D.

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Salisbury, M. [*Teller.*]
Westmeath, M.

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Albemarle, E.
Amherst, E.
Annesley, E.
Bandon, E.
Bathurst, E.
Carnarvon, E. [*Teller.*]
Chichester, E.
Derby, E.
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Eldon, E.
Ellenborough, E.
Feversham, E.
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Romney, E.
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Churston, L.
Clifton, L. (*E. Darnley.*)
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Denman, L.
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Dunsany, L.
Egerton, L.
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Abercromby, L.
Belper, L.
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Dacre, L.
De Mauley, L.
Ebury, L.
Foley, L. [*Teller.*]
Granard, L. (*E. Granard.*)
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Penzance, L.
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Ponsonby, L. (*E. Bessborough.*)
Portman, L.
Somerhill, L. (*M. Clanricarde.*)
Sundridge, L. (*D. Argyll.*)
Taunton, L.
Vaux of Harrowden, L.

Resolved in the *Affirmative.*

THE MARQUESS OF SALISBURY said, he was unwilling to stand in the way of the important discussion on the Notice Paper, but he wished to obtain their Lordships' opinion with reference to a point which was discussed on a previous evening, but upon which no vote was taken. The present powers of the Secretary of State in regard to expenditure were, as that debate had shown, extremely doubtful. The noble Duke (the Duke of Argyll) maintained that the limitation of the power of the Secretary of State to spend money did not really limit the executive and administrative power of the Secretary of State, and in that view he was supported by the noble and learned Lord on the Woolsack; while the contrary view which he (the Marquess of Salisbury) adopted was supported by his noble and learned Friends (Lord Cairns and Lord Chelmsford). The power was thus, at all events, a matter of considerable doubt, and any Secretary of State for India who acted upon the opinion expressed by the noble Duke might have the opinions of his noble and learned Friends flung in his teeth; he would be thought to have transgressed his power, and might be further exposed to the unpleasant consequences attaching to a Minister who spent the public money without any Parliamentary power or authority to do so. He desired that this ambiguity should be removed; and, as he thought there ought to be some distinct definition of the law on this subject, he would propose a clause to the effect that the Secretary of State should be authorized to make no grant out of the revenues of India; that he should be authorized to make no increase of pension, or to pledge the revenues of India for any future year; and, most important of all, that he should not be able to engage the revenues of India, through his Colleagues, without the consent of the majority of his Council. Beyond these points, however, he proposed that the Secretary of State should be responsible to Parliament alone. At the same time he did not think that there was any essential difference between the noble Duke and himself.

Moved to insert the following clause—

"Whereas doubts have arisen as to the powers of the Secretary of State over the expenditure of the revenues of India, and whereas it is expedient that such doubts should be removed; be it enacted as follows:—Section 41 of the said recited Act for the better government of India is hereby repealed. The expenditure of the revenues of India, both in India and elsewhere, shall be subject to the control of the Secretary of State in Council, but no grant of such revenues, or any part thereof, no increase in the pay or pension of any person in the service of Her Majesty, and no contract or engagement charging or involving the appropriation of such revenues for a period of more than a year from the date of such contract or engagement, or involving any payments to any other Department of Her Majesty's Government, shall be made without the concurrence of the majority of votes at a meeting of the Council."—(*The Marquess of Salisbury*).

The Duke of ARGYLL regretted that he could not accept the Amendment of the noble Marquess, which, if it removed any existing difficulty or doubt, would only substitute others in its place. The present law was that no grant or appropriation of the revenues of India could be made without the consent of the Council. That prohibition prevented the Secretary of State from giving direct orders for the handling of money, but did not prevent him from ordering a service in India for which money was to be paid. He believed he was betraying no confidence in adverting to the origin of the doubt in this matter. A great many members of commercial bodies in this country urged upon the noble Marquess—as they had since urged upon himself—the expediency of ordering a survey of the country between Eastern India and China for the purpose of making a telegraph and a railway. It might be expedient, as the noble Marquess thought, to have a knowledge of the intervening country. But the Government of India took a very different view, and his noble Friend (Lord Lawrence) represented that the contemplated project might entail political complications, and expressed a strong opinion against an expenditure which would impose a considerable burden upon the tax-payers of India. The Council in this country backed the representations of the Government of India, and resisted the survey. He believed that the noble Marquess, notwithstanding, had his own way, and that the Council eventually did not resist his will, but assented to an order for the survey of the country. Considerable expense was incurred; and his noble Friend (Lord Lawrence) afterwards renewed his remonstrances as to the danger of bringing the Government of India into contact with the border tribes. When those remonstrances reached this country, Sir Stafford Northcote was Secretary of State, and the survey was given up. The matter had been under discussion since he (the Duke of Argyll) had been at the India Office, but on no considerations would he over-rule the Government of India in such a matter. The noble Marquess said, that, under the present law, the Secretary of State could not order such an expenditure on his own authority, and he desired so to alter the law as to confer that authority upon him. But the definition of the financial power of the Secretary and Council by the proposed clause was open to great objection. It left the Secretary of State absolutely free to engage for any amount of service, and to pay for it out of the revenues of India. It would not prevent him from engaging a whole army of engineers, and paying the expense without consulting with his Council. It would prohibit him from increasing the pay of any existing office, but it did not prohibit him from creating any number of new offices. He could not add £5 to the salary of any existing office, but he could create any new office with a salary of £5,000 a year. The words of the Amendment—"no contract or engagement charging or involving," would give rise to infinite ambiguity. Did they mean a contingent or necessary "involving?" The whole paragraph was full of ambiguity and difficulty, and on its very front and face it gave a power to the Secretary of State which Parliament never intended he should possess. The words—"involving payment for more than a year," he believed had been introduced to meet an objection he had himself stated the other night to the noble Marquess. He pointed out to the noble Marquess that, as his Amendment stood, the Secretary of State might charge on the Indian revenues the whole of the British Navy serving not only in the Indian but in the Chinese seas; or, by an arrangement with the War Office, he might double the rate of pay of the Queen's troops in India. The words were therefore added—"or involving any payments to any other Department of Her Majesty's Government." But if there was no agreement with the "Department," the Secretary of State would not be prevented by the words from making the payment. He (the Duke of Argyll) was at present negotiating with the Admiralty about the expense of the naval service in the Persian Gulf, and they were likely to come to an agreement on the subject; but, under this clause, without coming to any agreement with the Admiralty, he might order the payment of £100,000 or £200,000 or £300,000 for those ships. The actual balance in hand in bank of the Indian revenues ranged from £8,000,000 to £12,000,000 sterling, and it would be possible, under the Amendment of the noble Marquess, for the Secretary of State to pay the whole cost of the Abyssinian War without the consent of a majority of his Council. That was an absurdity which Parliament never could asssent to. This Amendment would give rise to doubts and difficulties infinitely greater than those which could arise under the simple and straightforward wording of the present law, which was perfectly consistent with our Constitution. He seriously appealed to the House to consider the position of the Secretary of State for India with reference to money matters. He ventured to say the power of the Secretary of State ought not to be materially increased Already it was the greatest power possessed by any Minister, because it was practically unchecked and uncontrolled, except by his Council—he might squander millions before the people of India were aware of the fact; and it was most important that he should be obliged to consult his Council before he dealt directly with matters involving large expenditure. He hoped their Lordships would not adopt the Amendment of the noble Marquess. He did not think that the noble and learned Lord opposite (Lord Cairns), if sitting in a judicial capacity, would adhere to the interpretation he gave the other day.

The Marquess of SALISBURY said, the noble Duke had made himself a sort of posthumous *Hansard* to the Indian Council, by referring to matters which had been discussed by the Council two years ago, which were not on the records, and to which there were no means of referring. The noble Duke referred to the question of the survey of Eastern India frontiers for the purpose of insinuating some degree of censure upon him (the Marquess of Salisbury).

The Duke of ARGYLL said, he had not at all intended to imply any censure on the noble Marquess. If he differed from the Government of India on a very important question he had quite a right to do so.

The Marquess of SALISBURY said, that, in reference to telegraphs or railways, he had not sent any despatch directing that any step should be taken that would compromise the peace of India in any way, and he assuredly had never manifested any liking towards a telegraph across the Burmese territory. He thought it an inconvenient practice in any Minister of the Crown to refer to matters affecting the conduct of his predecessor to the record of which he could not appeal. With regard to the interpretation which the noble Duke had put on his Amendment he would only make one remark—that the noble Duke had entirely changed his opinions on the subject. On the first reading of the Bill the noble Duke gave them a very interesting disquisition on this subject, and used these words—

> "It follows from this argument—which I believe to be well founded both upon the historical facts of the case and the words of the Act—that the

Secretary of State is supreme in all matters whatever, except simply such matters as were included under the principle of the financial veto of Mr. Pitt—that is, direct grants or appropriations of money to persons either here or in India which might be made for purposes of political jobbery. That I believe to be the state of the law; and if it be, I need hardly say that it makes the Secretary of State practically supreme in all matters, whether they do or do not cost money."—[3 *Hansard*, cxcv. 1074.]

Was that language consistent with the speech which the noble Duke had made to-night? He had not put this Amendment on the Paper to alter the law. If the noble Duke desired that the Council of India should stand in the same position as the House of Commons, he had no wish to make any alteration. His only desire was to give effect to the principles the noble Duke had himself expressed and to clear up any doubt with respect to the power of the Secretary on this point. If he had succeeded in converting the noble Duke he was satisfied, and would withdraw the Amendment.

Lord CAIRNS said, that the noble Duke had now asserted a doctrine wholly different from what he had formerly expressed. Originally the noble Duke claimed for the Secretary for India a power to spend the whole revenue of India by ordering services in India for which the Governor General should be desired to pay, and then preventing any veto on the accounts when they came home. However, the proposition now advanced by the noble Duke was a totally different one, for he said that it was impossible to suppose that by the law as it stood the Secretary for India could have such extensive power to spend money. The noble Duke had certainly learnt something by the discussion, and he hoped his knowledge would be followed by some useful result.

Amendment (by Leave of the House) *withdrawn:* Bill to be read 3^a on *Friday* the 4th of *June* next; and to be printed as amended. (No. 104.)

POLICE SYSTEMS OF SCOTLAND.

OBSERVATIONS.

The Earl of MINTO rose to call attention to the Report of the Select Committee of last Session on the Police Systems of Scotland, and to ask the Government certain Questions in connection with that subject. It was a general impression that these systems were capable of considerable improvement. The Select Committee, which he moved for last year, embodied in their Report certain recommendations to which he would shortly refer. In consequence of the existence of public prosecutors in Scotland, the police of that country had to perform certain duties which did not devolve on the police in England, and which took up a great deal of time, and required considerable training for their due discharge. But it was a curious fact that no system of superannuation for the police should exist in Scotland; and the first recommendation of the Select Committee, which he trusted the Government would take into consideration, was that a plan of superannuation should be established in respect to the Scotch constabulary. The next recommendation of the Select Committee had reference to the amalgamation of different constabulary forces. A number of small boroughs maintained independent bodies of police of their own; and in some towns two or three separate police forces were kept up. The Committee recommended that some of these bodies should be amalgamated with the county police, and that in cases where there were several distinct bodies of police in towns they should be joined together. The Committee were of opinion that the payment by fees, for certain duties, should be abolished. The Committee pointed out that the duties of the Procurator Fiscals and the chief constables sometimes conflicted; and recommended that their respective duties should be better defined. Upon another point the Select Committee thought it better that the Police Committee should have a veto upon the appointment of additional constables, instead of leaving it to the chief constable. Again, the chief constable was now liable to dismissal by the Police Committee, and the Select Committee recommended that this dismissal should not be made except with the sanction of the Secretary of State. On these points he should be glad to hear the views of the Government.

The Earl of MORLEY said, that as regarded the subject of the superannuation and retiring pensions, there could be no doubt that, in order to render the police efficient, some fund of this kind should be provided; but Dr. Farr's statement, as to certain superannuation funds in this country, was enough to show how much care was necessary in dealing with this question. It was under the consideration of the Government, and would receive attention and favourable consideration. With regard to the consolidation of the borough police with the county force, it certainly appeared that in several cases the existing system did not work satisfactorily. Before the Select Committee there was evidence of the inconvenience arising from the maintenance by small boroughs of police of their own: but the subject was one of great delicacy, for local bodies felt a jealousy of any invasion of their rights, and interference was ill-received in such a case. By Section 61, in the Act of 1857, a permissive power was given to the boroughs to amalgamate their police with the county force. Over twenty boroughs had availed themselves of that power; but thirty-two boroughs, sixteen of which contained a population of under 5,000, still retained their own police. The next point was the relations of the chief constable with the Procurator Fiscal. The complaint was that the Procurator Fiscal, in the discharge of his duties, had the power of giving orders to the individual members of the force, independently of the chief constable under whose order and disposition the force was. That, no doubt, might occasionally cause some confusion —particularly when the Procurator Fiscal omitted to give notice to the chief constable. This appeared however to be very rarely the case. But, it seemed to him (the Earl of Morley) that if the department of the public prosecutor was to work satisfactorily in Scotland, it was necessary that the constables should be, to a certain extent, under the orders of the Procurator Fiscal, who, with the sheriffs, were the persons who really worked the criminal law in Scotland. Cases might occur where, in conducting an inquiry on the spot, it was impossible to communicate with the chief constable, and great delay would occur if the Procurator Fiscal were obliged to send to the chief constable before he could direct the constables to assist in collecting evidence. At the same time, the duties of the Procurator Fiscal should be performed with the least possible interference with and derangement of the police force, and notice should be given to the chief constable wherever that was possible. The present system worked harmoniously in almost every part of Scotland; and, that being so, it was not the intention of the Government to make changes which would weaken the power of the Procurator Fiscal, and might impede the ends of justice. His noble Friend had also adverted to the question of police appointments. That question was under the consideration of the Government, and he trusted the noble Earl would be satisfied with that assurance, and with the explanation which he was enabled to give him on the other points which he had brought under the notice of the House.

THE EARL OF DALHOUSIE said, that the efficiency of the police force of Scotland was considerably impaired by the circumstance that the prospect of a superannuation allowance was not held out to them. The result was that the men looked upon the service as a temporary refuge until they could find something better to do. A well-considered system of superannuation would tend greatly to keep experienced officers in the force. He was glad, therefore, to hear that the subject was under the consideration of the Government. There were, he might add, in the counties numberless small boroughs which had little police forces of their own; and he would suggest that all boroughs having a less population than 2,000 should be compelled to amalgamate their police with the counties. If that were done, a better system of police would, he felt confident, be secured. With respect to another point, which he admitted to be one of some delicacy, he might state that he thought there was a growing desire on the part of the sheriffs and the Procurator Fiscal to acquire a greater control over the police in the counties than they ought to have. The view which he took of that question was that, while the force should be subject to the orders of the sheriff in those instances in which there was occasion to employ them in the detection of crime, they should be placed generally under the control of the Police Commissioners —for he did not suppose that the sheriffs and Procurators desired to interfere with the disposal of the force to a greater extent than they found necessary for the due performance of their own duties. That was a point which he hoped the Government would take into consideration.

WHITSUNTIDE RECESS.

Moved, "That the House do now adjourn to Monday the 31st Instant."—(*Earl Granville.*)

STATE OF IRELAND.—QUESTION.

EARL RUSSELL: My Lords, I rise, pursuant to notice, to inquire of my noble Friend the Secretary for the Colonies what course the Government mean to pursue in regard to two very important subjects—namely, the increase of crime and outrage in Ireland and also in regard to the laws relating to the Tenure of Land in that country? I have deferred doing so to the last moment in order that they might have full time to take into consideration the accounts which they might have received from Ireland, and the present aspect of two most serious questions connected with that country. The first of those questions has reference to the state of crime and outrage prevailing in Ireland—the other relates to the position of landlord and tenant. In dealing with the first question I must say that I do not blame the Government for the crimes and outrages which have been committed in a few counties in Ireland. I have generally observed that, when an active political agitation has been set on foot in Ireland and has been suppressed, it has been followed by that other means by which the Irish farmers and peasantry belonging to the Ribbon conspiracy endeavour to attain their object—namely, the atrocious crimes of murder and assassination. We know that, owing to the efforts of my noble Friend the Lord Privy Seal (the Earl of Kimberley), when Lord Lieutenant of Ireland, and of the noble Duke opposite (the Duke of Abercorn) who succeeded him, the Fenian conspiracy was entirely defeated, and men congratulated themselves that the efforts of the Government had been successful. Then the perpetration of crimes —of these private murders—has followed in the usual course on the failure of the political conspiracy. This is no ground of blame to Her Majesty's Government, but it is a state of things which appears to me to demand their serious attention. Crimes of this nature have, as your Lordships' are aware, a great tendency to spread. When atrocious criminals who commit them have been arrested and punished a lull usually follows in the particular district in which they are perpetrated. But when, on the other hand, the crime remains undetected, when the authors of these crimes have remained concealed, there is usually a great increase of crime, until the matter is forced on the notice of the Government of the day. There was such an increase of crime in Ireland in 1847—and especially of agrarian crime—and Sir George Grey, who was at the time Secretary for the Home Department, introduced a Bill for the purpose of suppressing it. We had some hesitation at that time in introducing such a Bill, because the year before the House of Commons had rejected Sir Robert Peel's Bill for a similar purpose. That Bill was very similar to the Peace Preservation Act now in force; but it contained clauses, copied from the Whiteboy Act, enabling the Government to punish persons in districts which had been proclaimed for sending threatening letters, and for other offences tending to foster insurrection. The third reading of that Bill was supported by a great majority in the other House of Parliament, Mr. Bright being among its advocates. Some time after Sir George Grey stated that the Act had been completely successful, and in 1855-6 it was renewed, but with the omission of the clauses to which I have just referred. I cannot doubt that Her Majesty's Government and the local Government of Ireland are doing everything in their power to discover the perpetrators of the crimes which are now being committed in that country. Those crimes have increased in number, and have extended to other counties besides Westmeath and Tipperary, and the murderers have not been discovered. Now, Her Majesty's Government might have followed the example of other Governments and introduced measures which would have been effective for securing peace; for, as Sir George Grey most truly said in 1847, all Her Majesty's subjects have a right to the protection of life. My noble Friend will no doubt endeavour to give a satisfactory answer on this subject. He will probably say—what is certainly true—that means are being taken to discover the criminals and bring them to trial, and that if this cannot be done Her Majesty's Government will consider what other measures may be necessary. I will now pass to the other and more anxious subject to which I propose to call the attention of the House and of the Government—namely, the laws relating to the tenure of land in Ireland. It seems to me, my Lords, that at the beginning of the Session Her Majesty's Government might have taken into consideration the propriety of adopting one of two courses with reference to this subject. They might have come to the conclusion that this Session ought to have been devoted to the purpose of considering the laws and the questions more especially relating to Ireland, with a view to the settlement of the most important of those questions; and no one can doubt that among those questions the two most important relate, the one to the Church of Ireland, and the other to the tenure of land in that country. I think myself that they might have postponed the consideration of Endowed Schools, of other questions relating to Education in Great Britain, and of the subject of Bankruptcy, in order to give the entire Session to the fair consideration by Parliament of the great questions remaining to be decided in regard to Ireland. On the other hand, the Government might have declared that, while they would take into consideration any measure which would secure compensation to the tenants in Ireland, and which would maintain at the same time the rights of property, it was not their intention to introduce a measure on the subject of the tenure of land during the present Session. I say that either of these courses might have been pursued with perfect propriety on the part of the Government. For my own part, I confess I should have preferred the former: but it was for the Government to decide which they would adopt. Unfortunately, however, there was a third course open to them—namely, to permit every kind of hope to be held out to the tenantry of Ireland, which could tend to shake that security of property, which Sir George Grey and Sir Robert Peel said in 1847 ought to be maintained, and yet not to submit any measure for the consideration of Parliament. I think that an unhappy course; but it is the one which the Government has chosen. When I say this I must be understood as referring to the late deliberations and debates in the other House of Parliament. I am of opinion, my Lords, that in these days no technical rule should interfere with our discussions if we think proper to discuss statements which have been made in the other House. In former days, as is well known, the House of Commons were very jealous of the publication of any reports of their debates and proceedings. Indeed, I myself am old enough to remember a person being brought to the bar of that House, by the Sergeant-at-Arms, because he was found taking notes in the Gallery. But now-a-days, we know that there is a full and wise publicity with regard to these things. Everybody knows next morning what has been transacted in either House of Parliament—the reports of our proceedings are spread all over the country, and are known to every person who takes any interest in the political affairs of the kingdom. Therefore it is a mere mockery to say that what is known in every hovel in Ireland and every cottage in England should not form the subject of debate either in this or the other House of Parliament. For my own part, I am not anxious to refer on the present occasion to any declarations which may have been made in the House of Commons, but I do wish to refer to plans which have been propounded in speeches which have been carefully revised and published in a collected form as the speeches of the present President of the Board of Trade, and which are now well-known throughout the country. The right hon. Gentleman (Mr. Bright) went over to Dublin some time ago, and both there and elsewhere propounded and explained plans of his own for the settlement of the Irish land question. He named a certain number of persons as being absentee proprietors. The list was not wholly correct, though substantially accurate. The right hon. Gentleman professed to have a great regard for the rights of property; and I must say he desired that those persons should have full compensation for the property which they hold, and that their land should be sold again among the farmers and occupiers. At the date to which I have already referred—namely, in 1847—Sir George Grey said that the tenant-occupiers ought to receive fair compensation; and Sir Robert Peel followed up that declaration by expressing his opinion, that where an occupier built a house and was deprived of his holding he ought to have full compensation for the expense, time, and labour which he might have bestowed on the building of that house. These two statesmen, though belonging to opposite parties, were quite agreed upon that principle. My noble Friend the Secretary of State for the Colonies alluded the other day to a statement made by Lord Stanley in the House of Commons, and declared that he was quite ready to accept the principle of full compensation to the tenant-occupier. But, my Lords, this plan of Mr. Bright has for its object the displacement of a great number of proprietors of land in Ireland, and the substitution of small occupiers in their stead. That, my Lords, is a change so vast that it is hardly to be contemplated without a great deal of examination; and yet it has been proposed without examination, without any decision on the part of the Government, without, as far as I know, any deliberation by them on the subject. It has been stated from the Treasury Bench in the House of Commons that such is the object which one Member of the Cabinet has in view. With a people like the Irish that is exceedingly dangerous. My noble Friend has just spoken in regard to a Report made by a Committee some time ago with regard to various subjects, and among them one which has been brought under consideration in this and the other House of Parliament—namely, the Law of Hypothec in Scotland. We know this subject excites a good deal of attention in Scotland; but we know also that there would be no great anxiety or agitation if a remedy for the existing evils were not proposed in this Session, or the next, or even in the Session after. We know, on the other hand, that the people of Ireland are naturally excitable, and will look, not to the way in which the object is to be accomplished, but only to the proclamation that the property now held by the proprietors, whether they be absentees or residents, is to be transferred to the poorer occupiers. With or without compensation, these occupiers will endeavour by agitation and excitement to attain that object. That is not a kind of agitation which the Government ought to encourage. The declarations made in former days by Sir George Grey, as Secretary of State, and by Sir Robert Peel, as head of the Opposition, pointed to an object which, no doubt, required very great attention and deliberation as to details, but which was practicable and attainable. But one had to turn over a little in one's mind the object which the President of the Board of Trade was aiming at in order to form some conception as to what would happen if the Cabinet adopted his views. Generally speaking, the smaller occupiers are not in possession of much capital, and would hardly be able to lay out much money in the acquisition of land. The President of the Board of Trade proposed that 20 per cent above the probable value of the land should be paid to the holders of estates, and when I read the plan of some time ago I think it was stated that some £5,000,000 were to be placed in the hands of Commissioners, and lent to the small occupiers in order that they might buy out their landlords and place themselves in possession of the land. We are told that the President of the Board of Trade spoke only for himself. I have no doubt that that is perfectly true. But I wish that others had also spoken for themselves. The Chancellor of the Exchequer, for instance, can speak for himself most effectively, as we have lately seen. I wish he had spoken for himself on that occasion, and had given his opinion in regard to that advance of £5,000,000 from the public Exchequer, to enable the small occupiers of Ireland to buy up the land. Because, although the rights of property are to be respected—as I have no doubt the President of the Board of Trade really intends to respect them, for I have the most perfect faith in his honesty—what we have to consider is, how this plan is to be carried into effect. And we have to look—your Lordships are bound to look—not only to its bearing on the objects to which I have referred—namely, the preservation of peace and security in Ireland, but also to its bearing on the improvement of Ireland. We all know—we are all happy to subscribe to—the statements made last year by Lord Mayo, and also made since then, I think, by my noble Friend, who at the time was Lord Lieutenant of Ireland, that there has been within the last thirty-five or forty years a gradual progress occurring in that country—a progress, interrupted, indeed, by violence and crime—a progess not continuous, but still a progress—due partly to measures which have been passed by Parliament, and due partly to the general course of social improvement in Ireland itself, which is most gratifying to those who desire the future welfare of that country, and who wish to see her become a strong part of the United Kingdom. In a work written by the late Mr. Senior, who gives a very instructive account of conversations which he had with various proprietors in Ireland, the writer mentions one gentleman who said that he had a small property in that country, which had at one time sixty-seven tenants upon it. The potato famine came; many of the tenants were unable to pay their rent; he gladly excused them, and gave them some money besides to enable them to emigrate. Many of them willingly emigrated; and, instead of sixty-seven tenants, the number was now reduced to twenty-two, who, on an average, held twenty acres of land each. Now, I think, that was a beneficial operation. It was advantageous for those who emigrated, who were no longer in a land where they could not obtain food for their maintenance; and it was also for the good of those tenants who remained on the estate, and who could cultivate their twenty acres profitably and successfully. Let us suppose that some of these farmers of twenty acres each, tempted by the prospect — one of the most tempting prospects that can be offered to any man, whether in this country or in Ireland, or anywhere else—namely, that of being a freeholder of a certain piece of land—suppose that some of these farmers with twenty acres obtained the command of that land, that they became owners in the place of the gentleman who is now receiving the rent, and who undergoes the trouble and the danger—which are neither slight nor few—attendant on the possession of property in Ireland—suppose, I say, that they have their twenty acres each, paying their rent and purchase-money to the Government, I ask, what has been a very common custom in Ireland? It has been a very common custom for these small farmers, instead of saying—"I have twenty acres; it is the lowest that I can cultivate at a profit," to say—"I have four sons; I will divide my farm among them. They shall each cultivate five acres." Now, imagine that the tenant has become possessed of the land. He has still to pay annually the sum which the President of the Board of Trade thinks that he ought to pay in order to become ultimately the owner of the land. Well, whom is he to pay it to? To the Chancellor of the Exchequer. The Chancellor of the Exchequer will have advanced the money, and he must go to those four men, having five acres a-piece, and ask from them, not only the ordinary rent which the man with twenty acres originally paid, but the rent increased by 10 per cent, or whatever it may be, to enable him to get the fee simple of the land. Will Ireland be improved by such a process? Do you tell me that would be a progress towards civilization and the improvement of Ireland? I unfortunately recollect, and recollect too painfully, the scenes which the noble Earl opposite (the Earl of Derby) must remember better than I do, which occurred in 1832 and 1833, when the Government took upon themselves the duty of collecting the tithes throughout Ireland, and when the sum collected with the aid of a large force of dragoons, infantry, and police fell infinitely below the cost of its collection. And if such was the difficulty of collecting the tithes by the Government, tell me what would be the consequence, what would be the aspect of Ireland, with the Chancellor of the Exchequer collecting sums from all these petty people, in order to do what was just in respect to the rights of property, and at the same time to enable these small occupiers to become possessors of the soil? I conclude, then, from all we know of this plan, that the plan is entirely visionary. It would be a pleasant thing, my Lords, if we could, with regard to our political affairs, create such scenes as we see upon the stage, when that which one moment was a dark wood with a robber's cave is turned the next minute into the most smiling landscape with happy peasants peacefully pursuing their avocations. But although, my Lords, that is a very agreeable effect to witness at the theatre it is not one which we can produce in this House by the utmost efforts of legislative wisdom. We know that the improvement of Ireland is only to be worked out painfully and laboriously—yet, I trust, successfully. And I feel persuaded that unless the Government discountenance every such visionary plan, unless they determine to act forcibly and firmly, unless they show a bold front—as they have done in that small matter of the Mayor of Cork—unless in regard to the greater matter to which I have referred they resolve to grasp the nettle firmly we shall not have that peace and security in Ireland which we all desire to see. My Lords, I have therefore felt it a duty incumbent upon me to ask my noble Friend what is the course which the Government mean to pursue; because I do feel that — against their wishes, against their persuasions, meaning to do nothing but what is fair and honourable—if they allow this agitation to spring up in Ireland, and supposing Parliament to be prorogued with the whole land question of Ireland left open, Parliament may meet next February with things taken out of their hands; and it will end in the Government saying—"We own that what is proposed is against our views; but you see what the popular feeling, what the current opinion is in Ireland; we did not wish it to come to this conclusion, but we are forced to yield to it, and we can only ask you to concur in it." I hope the government will take a firmer course in this matter. I am quite sure that those who have been concerned in the government of Ireland, whether as Members of the Cabinet in England or as Lord Lieutenants and Governors of Ireland, will feel that there is some force in the observations I have made, and that the great anxiety which exists in reference to this subject should, if possible, be relieved.

EARL GRANVILLE: My Lords, any statement proceeding from my noble Friend, either on a question of administration or of government, must come with great weight and authority; but I own I do a little regret that my noble Friend has been prevented from attending the debates in this House, which I think have been renewed three or four times, on this particular question; because I think, as we have always declared on this Bench, that the frequent recurrence of these discussions, without any practical result, has not a good or soothing effect. And, more than that—whereas many of your Lordships thought it necessary that this subject should be fully ventilated and discussed—I know myself that there are individual Peers on—if I may use the phrase—the three sides of the House who think that object has now been fully attained. The noble Earl has asked me exactly the question which has been put to me at least three times before. He has asked what Her Majesty's Government mean to do in regard to land tenure in Ireland. That question has been put, and it has also not been put. A noble Lord on my side of the House, and a noble Lord on the other side, both gave notice of such a Question, and both withdrew it, because they felt that it was disadvantageous for the purposes of justice that the Government should go into detail in regard to any measure of a repressive character. It is perfectly impossible for me to state more on this subject than I have done—that Her Majesty's Government, wherever they think it judicious to do so, are with the greatest earnestness enforcing all those powers which the very Act of Parliament to which the noble Earl has referred, confers upon them. I will only say one word more, and I am not sure that it is wise in me to say so much. The noble Earl says that Her Majesty's Government ought to legislate. We may possibly introduce—although I give no pledge on the subject—some provisions to give greater speed to and facility to the Lord Lieutenant acting under the powers of the Peace Preservation Act. That I hope will be the case. But when the noble Earl talks of the omission or insertion of clauses from the Whiteboy Act, I wish to point out to him that the difficulty is not that there is no power to punish, but the great difficulty—which is no new one, for it has existed for many years past—is to get evidence to convict those whom you ought to punish, and until you get that evidence it is idle to talk about strong legislation. The noble Earl then suddenly diverged to another point—I think it must have been a new excitement and a new pleasure to my noble Friend to be so warmly cheered through the whole of his speech from a quarter from which he is not accustomed to receive such marks of approbation—the noble Earl went on to ask the intention of the Government with regard to the tenure of land in Ireland. Now, my noble and learned Friend on the Woolsack was charged the other night with confining his newspaper reading to the metropolitan journals. But I think my noble Friend can hardly have read our debates—which have never been better reported than during the present Session—if he is not aware that I have already answered this Question two or three times, and that I have given the only answer which it is possible for me to give on behalf of the Government. The noble Earl says that we ought to have taken one of two courses. He says that we ought either to introduce a land measure, or to say at once boldly that we do not mean to do so. Now, it is not once, but night after night that we have had discussions on this question. We have been asked by the noble Lord on the cross-Benches, and we stated that it was practically impossible to legislate this Session, and that opinion was backed by other noble Lords on the opposite side of the House. Now, my Lords, I say that, whether they are right or wrong, when a Government state that, in their opinion, it is impracticable to legislate this Session, and when they are backed up by several leading Members of the Opposition, it practically puts an end to the question. This is no new doctrine. I have always understood that a Government are bound to announce the principal measures which they mean to introduce; but I have never yet heard that they are expected to volunteer a catalogue of the measures they do not mean to introduce. But however that may be, as soon as the question was put whether we intended to legislate on the subject this Session we gave one unvarying answer—that we had no intention of so doing. The noble Earl then went into the question as to whether it was wright or wrong to have constant discussions in one House of what is passing in the other. I admit the distinction which was drawn a few nights ago by a noble and learned Lord whom I do not now see in his place (Lord Cairns), that the statements of a Minister of the Crown on a matter of great importance in one House may be taken up in the other, and a question put upon it whether that statement is to be understood as representing the intentions of the Government. But when the noble Earl proposes to abandon the Rules and Orders of this House, and that we should be perpetually discussing what passes in the Commons while they are discussing what passes here, I must say that I totally differ from him, and am not convinced by the illustration he has given. He has made a long and laboured attack upon one particular Gentleman who made a speech to which he objected. The noble Earl has been misinformed. Mr. Bright's plan was never submitted to the Cabinet—it was propounded by him three years ago; and on a previous occasion I distinctly stated in a very candid way—and not sparing Mr. Bright—that his was not a plan that had been adopted by Her Majesty's Government. I differ from the noble Earl as to the object of that plan, for it is not in the slightest degree a substitute for any measure having reference to the relations between landlord and tenant. It was at the most something of a side plan. It may be good or bad, but, whatever faults it may have, it makes absolutely no invasion upon the rights of property even when interpreted in the strictest possible manner. The noble Earl attempted to make fun of the Chancellor of the Exchequer advancing money to tenants in order to enable them to buy the fee-simple of their land. But every word of this applies to the plan brought forward by noble Lords opposite, by which they proposed that the Chancellor of the Exchequer should advance the money of the British tax-payer to enable the tenants to make improvements even when not authorized by the landlords. If the one is absurd, so is the other. I feel myself utterly unable, and I am not authorized by the Government, to give any opinion on the part of the Government upon the plan of Mr. Bright. We have from the first said that we will not take any single plan into consideration until the whole matter is before us. The noble Earl wishes me to go further than the declaration I made the other day. I only say that I was struck by the fair manner in which a noble Earl (Earl Grey) on the cross-Benches affirmed on a former occasion that our declaration of the principle on which we proposed to legislate was as explicit as it was possible for a mere declaration to be. But that noble Earl added that the only satisfactory declaration would be the measure itself, for there is hardly a clause in such a measure which may not vary the character of the Bill. I think, therefore, with great respect to the noble Earl, and without disrespect to any other portion of the House, that I must content myself with adhering to the declaration I made the other day, because I do not see how it is possible to make any other.

THE EARL OF DERBY: I shall detain your Lordships for the shortest possible time on a subject of so much importance. I have abstained from taking any part in these discussions; but I must say I think that the noble Earl who has introduced this question was fully justified in calling your Lordships' attention to it before the adjournment of the House for the Whitsuntide Recess. And although my noble Friend the Secretary for the Colonies says that this question has already been brought forward three or four times, the justification of renewing it is that on neither of these occasions have your Lordships received any satisfactory answer to a very plain question. Speaking of myself, I may say that I have for the last five-and-forty years had the management, and for a large portion of that time the possession, of a property—not a large property, but, at the same time, not an inconsiderable property—in the heart of one of the most disturbed districts in Ireland. It adjoins the Limerick Junction, which, as your Lordships are aware, was on the last occasion of disturbance the seat of the principal portion of the insurrection. During the whole of that time I am happy to say that I have never had a serious dispute with my tenants; and when an occasion of the gravest character has arisen I have always succeeded in vindicating the law, and this to the satisfaction of the tenants themselves. During these forty-five years — I will not say that I have laid out the fee-simple of the property upon the land, but I have laid out a very considerable sum year by year. For several years I received no return from this property, and I am not in the receipt of a larger amount of rent now than I was forty-five years ago. But my satisfaction arises from the knowledge that the bulk of my tenantry are now in a very different condition from what they then were, and up to this time I have every reason to believe that they are perfectly satisfied and contented with their position. But I am bound to say that the language which is now heard all round that property—language founded upon the expressions made use of by an important Member of the Government—such as that after next year, after 1870, no more rent is to be paid—I say that such language and the encouragement it has received tend to shake the minds of the most attached tenantry and to violate and destroy the security of property. I agree with my noble Friend (Earl Granville) that it is desirable, as far as possible, to avoid recriminations and controversies as to what has passed in "another place": but we must admit that when declarations are made by a responsible Minister of the Crown it is right to ask the Ministers of the Crown in this House, whether they concur with their Colleague, and whether he is authorized to speak on behalf of the Government?

EARL GRANVILLE: I did not object to that.

THE EARL OF DERBY: My Lords, I am not an advocate of the Mayor of Cork. I should have been quite prepared to join the Government in any exceptional—I would almost add in an unconstitutional—measure for the removal of a man whose language and acts rendered him unfit for his office. But the language and acts of the Mayor of Cork derived considerable sanction from the acts and language of some Members of Her Majesty's Government. ["Oh, oh!"] The noble Earl is shocked, and so am I. I am not for a moment palliating or vindicating the language of the Mayor of Cork; but Her Majesty's Government a very short time ago thought fit promiscuously to release a great number of people who, with great difficulty and serious danger to the constabulary and honest inhabitants of Ireland, had been found guilty of the most atrocious crimes. The Mayor of Cork attended a meeting to celebrate—what?—the release of the principal of these Fenian prisoners, who had been guilty of most atrocious conduct, and to rejoice in that act of Her Majesty's Government as a just, charitable, and merciful act, which threw back on the country some of the most dangerous characters. I say I do not palliate the language of the Mayor of Cork; but far be it from me to say that the Government were free from blame in taking that step which was the subject of congratulation by the Mayor. The Mayor of Cork—the late Mayor of Cork I should say, for I am happy to hear that a new Mayor has been appointed of a different character—the late Mayor of Cork comlained that his language—most improper and pernicious language, deserving the strongest condemnation—had been misinterpreted; that he never intended encourage or promote assassination; that, on the contrary, he deprecated it. He was misinterpreted—I do not believe he did. Well, I think Mr. Bright may have been misinterpreted too. I do not believe he intended to stimulate to acts of violence against the landlords of Ireland. I do not believe that the Government intend to encourage a partition of the land of Ireland, or to exterminate the landlords; but when a Member of the Government holds such language as he has used, declaring that Ireland will have no peace till the land of Ireland is transferred from the Protestant and absentee landlords to the occupiers of the soil, that language is dangerously liable to misinterpretation; I fully believe it was misinterpreted, just as the language of the late Mayor of Cork was misinterpreted. Well, then it is said that people in high position should be very careful of what they say. So you said with regard to the Mayor of Cork. He was a man in authority, and it was the more requisite that he should be cautious in his language and conduct. But the same thing holds true of Mr. Bright. He is an independent Member of the Government—and noble Lords will excuse me if I say it is popularly understood that Mr. Bright and Mr. Gladstone are the Government—and I say that he, a Minister of the Crown, a man in high station, should be very careful not to hold language capable of being misinterpreted by a population so excitable and impulsive as the Irish. I will not refer at length to Mr. Bright's project—I believe it is entirely disavowed by the Government; but it was put forward by him since he became a Member of the Government; and I have no hesitation in saying that, if it were adopted, it would throw the whole of Ireland into convulsion. I ought to know something of the tenantry of the South of Ireland; I know how easily they are misled—I know their good qualities—I know also their feelings on the land question—and I know how easily they may be misled by a project for recovering what they consider their rights. The peasant of Ireland imagines that he is about to be restored to lands which he believes are his by right, inherited from his ancestors, and from which he is unjustly kept out by the landlords. And when a Minister of the Crown recommends a scheme the object of which is to put them in possession of what they consider their rights, in opposition to the rights of the landlords of Ireland, the peasantry go far beyond his language in the meaning they put upon it. Mr. Bright proposes, not to exterminate the landlords of Irelands, but to purchase from them their rights at their full value. First of all, it is difficult to know what the full value of land in Ireland is or will be after the measures supported by Government are carried into effect. For my own part, I would prefer retaining my land, and occupying it—if I am allowed to do so—by my own tenants to parting with it to the Government; but if it be the project of the Government, as it is announced, to purchase the rights of the landlords, and to undertake the subdivision of their property in farms of such size as they think desirable, I can only tell them, before they take that course of proceeding, they had better largely increase the military and constabulary of Ireland; for every one who knows anything of Ireland knows that in the South and West of Ireland it is with the greatest difficulty that the most painstaking landlords can induce their tenants ever to alter the course of a ditch—a bank, with a ditch on either side—broad enough to drive a car along it, and running in every direction but a straight line — it is with the greatest difficulty the tenantry can be persuaded to adopt a give-and-take line, giving them more than their own, because they think it a violation of their rights of occupation. Let the Government purchase my rights—I dare say I shall have a good bargain if I sell, which I am not disposed to do. I would recommend the Government to be very careful how they buy up property under these circumstances, for where so many small interests exist—it may be the occupation of only half-an-acre—there is great danger, in such a scheme, of universal disturbance, convulsion, and bloodshed. I do not charge the Government —God forbid I should—with the intention of introducing any of these evils; but I want solemnly to warn them of the danger of allowing one of their Colleagues to make use of language that may have that effect. It is quite impossible that they can allow such language, unreproved and unrejected by them, without the greatest danger. They may say it is not used with their consent; but what we ought to require from them, for the sake of the peace and security of Ireland, is such a declation of their principles as may amount to a total disavowal of such revolutionary suggestions; and that whatever relief they may be able to give to the tenant—

which I certainly do not object to—shall be consistent with justice, and that, at all events, they will maintain and uphold the rights of property and of the landlords in Ireland. But they must bear in mind that at the present moment the great difficulty the landlords have to contend with is that they have not the power possessed in England of improving their estates by any new distribution of their property. I have had my property for forty-five years, but I do not say that I have done what I should have wished for its improvement. How could that be accomplished, when I find my farms broken into by three, four, or five different occupiers of three, four, or five acres each, in respect of which I do not mean to say I have not the right by law to consolidate the holdings if I please, but a compulsion is put on me to prevent it? However a landlord may be disposed to improve his property, the great difficulty is the removal of those who are a nuisance upon it. A great deal is said of granting leases. Some of my tenants have leases already, and when the holding is over ten acres I should not object to grant a lease for twenty-one years; but my belief is that in the South of Ireland tenants would rather not have leases, because, if you grant a twenty-one years' lease, the tenant would undoubtedly hold it for that term; but, at the end of that time, he does not wish to recognize that the landlord has a right to let the land to anyone else. That being so, I say there is the greatest possible danger in any language held on the part of a Minister of the Crown which encourages the people to believe that you are about to take some great measure for the re-distribution of land in Ireland, which shall give back to the occupier what he thinks his right to the soil of which the landlord has deprived him, and which shall remove the Protestant and absentee landlord from the property. My noble Friend has referred to the catastrophe at Ballycohey. My own estate adjoins Ballycohey, where the late murder was committed. When that property was in the market, I was applied to, although a Protestant, to purchase that property. I declined. Mr. Scully purchased it, and we know what was the result. My Lords, I did not intend to trouble you with any observations on this occasion, but I could not avoid adding my testimony to the dangerous effect which is being produced by the language and conduct, and not only by the language and conduct, but by the reticence of the Government; and my belief that their continued reticence must necessarily, to a great extent, increase the insecurity to life and property which unfortunately now exists in Ireland.

THE EARL OF KIMBERLEY: My Lords, I should not have troubled your Lordships with any observations on the present occasion, did I not feel it my duty to protest solemnly against the language we have just heard from the noble Earl. The noble Earl said, and he said with great truth, that men in authority should be careful as to their words. Now, though the noble Earl no longer occupies a responsible position as a Minister of the Crown, yet from the high position which he has so long occupied, from his great knowledge of Irish affairs, and from the authority with which he speaks in this House, I think I shall not be going too far when I say that the noble Earl also should speak with some caution when he addresses your Lordships. But I put it to the House, and I put it to the noble Earl himself, whether it is fair, in the first place, in a side way, to compare my Colleague, Mr. Bright, with the Mayor of Cork—whether it is just to say that the language which Mr. Bright held in the House of Commons a few nights ago is comparable to the language which the Mayor of Cork held on the occasion which gave rise to the proceedings against him? My Lords, I utterly deny that the slightest comparison can be introduced. What did my right hon. Friend say? He said he had a plan, and that that plan would lead to certain improvement in Ireland.

THE EARL OF DERBY: I beg pardon. I referred to former expressions of Mr. Bright, in which he said that if Ireland were 1,000 miles to the West the people would take the thing into their own hands, and the result would be the extermination of the landlords. I do not say that that language was intended to imply violent measures against the landlords, but that it was language upon which it was possible that a people like the Irish might place that interpretation.

THE EARL OF KIMBERLEY: I beg the noble Earl to remember that he drew a distinction, and a very just one, between men not holding offices under the Crown and men holding such offices; and he said that if Mr. Bright had used the language to which he referred as a private individual it would not have mattered. The language to which he now says he meant to allude was used by Mr. Bright in a private letter addressed to a private individual, and which was published without his consent, and much to his regret. I put it to the House, therefore, whether it is at all just to bring against the President of the Board of Trade, as a responsible Minister of the Crown, language which, at all events, he used as a private individual. I again say, my Lords, that the language of the Mayor of Cork, which was language apparently approving of assassination —though the Mayor subsequently explained away that meaning—is not language which can be compared to any used by my right hon. Friend; and I venture to appeal to every Member of this House, to whatever party he may belong, whether he believes that such an attack as has been just made upon Mr. Bright is a fair one, or is one which will have the sympathies of any man inside or out of this House, on cool reflection; and whether Mr. Bright, who has conferred great benefits on the country, and who exercises great influence, has ever done anything laying himself open to such imputations? The noble Earl then proceeded to say that Her Majesty's Government had encouraged the Mayor of Cork by releasing certain Fenian prisoners. Well, I do not make the same protest against that argument. If the noble Earl likes to say that Her Majesty's Government were mistaken in advising Her Majesty to release certain Fenian prisoners, no one can object to his doing so. But, in the first place, the noble Earl is so eager to make this attack upon us, that he really—if he will allow me to say so—greatly over-stated the case. He spoke of an immense number of Fenian prisoners who had been let loose. The immense number was forty-nine. Then, he said they were the worst offenders who were liberated; but I venture to tell him, as a matter of fact, that the worst Fenians are still in custody, and that those who were liberated were not the worst. Now, I ask whether, if it is thought expedient by the Government to advise the Crown, upon grounds which at all events seem to them sufficient, to release a certain number of Fenian prisoners, that is to be made a ground for the accusations brought against us by the noble Earl—namely, that we directly encouraged the Mayor to use language which on the face of it is approving of assassination?

THE EARL OF DERBY: I did not speak of the language the Mayor of Cork used but of the fact of the Mayor of Cork presiding at a meeting upon the occasion of the release of the Fenian prisoners.

THE EARL OF KIMBERLEY: I certainly understood the noble Earl to refer to the language which the Mayor had used. To all that falls from the noble Earl with respect to Ireland I listen with the greatest attention, because on that subject he not only speaks with authority, but with great knowledge and experience, and I attach great value to his words. A great deal of what he said as to the present condition of affairs in that part of the country where he has property—property that is, I believe, extremely well managed—only showed the extreme difficulty and danger that attends the dealing with this question of the tenure of land, and also shows how in speaking of this subject even the noble Earl himself may use language—no doubt unintentionally —which may tend as much, perhaps, as any language used by Mr. Bright himself to encourage the peasantry in entertaining extravagant expectations. He said, that the position of the tenant-farmers there, from causes that he need not mention, rendered it almost impossible to remove them from their farms. Now, there is no doubt that this may be more or less a fact; but coming from the noble Earl as a description of the state of affairs there, it certainly may lead many people to think that although the Government may not advocate such measures as fixity of tenure, yet that practically fixity of tenure prevails at present in the South of Ireland, and is likely to prevail there. I do not wish to be misunderstood. I believe that nothing would be more unwise than for me to add anything to what was said by my noble Friend (Earl Granville). We adhere to our intention not to legislate on this subject this year, and I maintain that our declaration that such was our intention was an explicit one, and ought to have been sufficient to have prevented the Question put by my noble Friend (Earl Russell) this evening.

THE DUKE OF ABERCORN: My Lords, I need scarcely attempt any apology for speaking upon this question, which the noble Earl (Earl Russell) brought forward so ably, and which has been answered in a manner so little satisfactory by the noble Earl opposite (Earl Granville). I can confirm the statement of the noble Earl, that the present position of things in Ireland is calculated to excite alarm for the security of life and property. But I regret to say that the records in the public papers by no means come up to the full amount of alarm and intimidation prevailing in that district which consists of the counties of Tipperary, Limerick, and also of the great part of King's County and Meath. I may say that alarm is almost universal in the whole of the South and West of Ireland, and that there are the gravest apprehensions that the present disturbances may extend yet further. I feel no wish to draw any undue comparison between the present and the late Governments, for I feel that this is a case too serious for party rivalry; but I feel also that the present condition of Ireland offers a lamentable and deplorable contrast to that prevailing at this time last year. What, then, my Lords, are the causes of this sudden outbreak of alarm in Ireland, after a period of many years so singularly free from crime of this sort that it was the subject of general congratulation, both in ordinary society and by the judicial authorities at the different county Assizes. I do not at all agree with the supposition of my noble Friend (Earl Russell) that it is a consequence of the Fenian movement, for I believe that those engaged in the Fenian movement are not by any means of the same description as those who are engaged in these agrarian outrages. The number of persons engaged in agriculture who joined the Fenian movement was very small. I think, however, that we need not go far for the causes — causes which I will presently allude to in connection with the speeches and professions made by prominent Members of the Government at the late election — after I have briefly traced the period of the rise and progress of the outrages. It was stated by the noble Duke who spoke the other night that the attack upon Mr. Scully was the commencement of the outrages; and it has been stated elsewhere by the present Secretary for Ireland that the present Government on coming into Office found that those outrages had been going on for a long time, and were then in full force. My Lords, I give both those assertions the most complete denial; and I will prove to your Lordships, first, that the attack on Mr. Scully had no reasonable connection with the outrages that occurred five months later; and, secondly, that at the time that the late Government left Office, and the present Government succeeded them, there had not been heard a whisper of such agrarian outrages as we now hear so much about. And, first, as to the attack upon Mr. Scully—which occurred, not as the Chief Secretary for Ireland stated, in September, but on the 14th of August. Murderous as the attack was, and the subject of the severest reprobation and punishment that the law could inflict, it was a nature totally different to ordinary Irish agrarian crimes. It was an armed defence against an armed attack in open day, and it had none of those characteristics — the stealth and secrecy—which are met with in ordinary agrarian murders. No case in the least degree resembling it has occurred since; and, in fact, no case resembling it ever occurred before, except in those instances to which my noble Friend referred in former years, when it was thought necessary to levy tithes by the assistance of an armed force. I say that this attempt to fix the outrage upon Mr. Scully as the commencement of a series of outrages of a totally different nature, which began five months after and have continued without intermission to the present moment, is a perversion of the facts and a complete misapprehension of the nature of these disturbances. To the assertion of the Chief Secretary for Ireland, that his Government found these outrages in full force, I give the most complete denial. During the two and a-half years that the late Government held Office, with the exception of the outrage on Mr. Scully, there was only one case of agrarian outrage resulting in death—that of Mr. Featherstonhaugh; and not one whisper had been heard, when the present Government came into Office, of those agrarian outrages of which we hear so much now. The first case that occurred took place after the accession of the present Government, after the election and the result of it had been known, after most rash and ill-advised speeches from certain prominent Members of the Government, which speeches produced a fatal effect upon the excitable nature of the Irish people. The death of Mr. Baker, which occurred on the 31st of December, was followed by other murders and outrages in appalling succession. I think that I have shown your Lordships that there is no foundation for the statement of the Secretary for Ireland, that the present Government found these outrages in full force, but that, on the contrary, with the exception of the outrage in Mr. Scully's case, five months before, there had not been the slightest attempt to commit such crimes. A noble Duke (the Duke of Argyll), who is not in his place to-night, stated the other evening that the disturbances now existing were owing to the lax way in which the late Government had carried out the law in the case of Mr. Scully. Perhaps those noble Lords on the opposite side who complained of our laxness will be so good as to enlighten the House as to the firm and prompt manner in which they have suppressed similar agrarian outrages. I am sure that the House will be much indebted to any noble Lord on the other side who will explain the peculiar mode in which, with such complete and signal success, the present Government have suppressed agrarian outrages in Ireland, have enforced the law and punished offenders, and have succeeded in imparting a general confidence in the perfect security of life and property in Ireland. The further we examine the case the more distinct becomes the evidence that these outrages have arisen entirely since the accession to Office of the present Ministry, and that their origin is owing solely to the dangerous feeling which the rash and ill-advised speeches of prominent Members of the Government have aroused in a section of the Irish people. We do not blame the mere fact of the present Government not having brought in a Land Bill, but we consider, and the country considers, that they are open to the gravest censure in that when they knew that they could not by any possibility bring in a Land Bill, and when they had no intention whatever of doing so, they, notwithstanding, did not scruple, for party and *ad captandum* purposes, to hold out promises of such a radical change in the tenure of land as have excited the wildest expectations in Ireland. Nor is that all; for invectives —I might almost call them denunciations—were uttered by prominent Members of the Government, expressed in the most solemn language and with all the eloquence they are masters of, in reference to what they termed the long-standing grievance of the Irish people, and to the baneful effects of Protestant ascendancy and Protestant landlords upon the country. I think the expression was that "Protestant ascendancy was the Upas tree that must be rooted up." Can you wonder that words like those should have taken hold of that portion of the Irish people, for whose benefit they were especially intended? Expressions so rash and inconsiderate as these can only be accounted for on two grounds: either a complete and entire ignorance of the feeling of the Irish people—of which, by-the-way, the present Government professes to be the only true exponent; or by a determination, regardless of all consequences, to secure votes at the hustings by professions which they knew could not be performed, and by indications of a policy full of hazard to the social state of Ireland. I leave the noble Lords on the opposite side to elect which of those was the motive for the line adopted by prominent Members of their party. Whatever it was, however, they have incurred a most grave and serious responsibility for a state of society in Ireland of which I fear that we have seen neither the last nor the worst. I believe, I repeat, that these outrages have arisen solely and immediately from those rash and inconsiderate speeches by the President of the Board of Trade, by the Prime Minister, by the Home Secretary, and other prominent Members of the Government—speeches which, I admit, have been partly misapprehended, but yet speeches that ought never to have been made—speeches such as we have never been accustomed to hear, and I hope we never shall be accustomed to hear from expectant Ministers of the Crown. It is all very well to say that this or that word was not used, or that this or that sentence was misunderstood—the sense remains the same, and no effort whatever was made to contradict it when it was made the means of securing votes and victories at the hustings. Those very professions which are now sought to be evaded are those which were paraded with exultation by the Liberal journals in this country, and were copied and enlarged upon by every so-called national paper in Ireland, no attempt whatever being made at the time by any Member of the Government at either explanation or contradiction. I have no doubt that many Members of the Government now regret the consequences of their own acts. The conduct of the Government towards Ireland resembles nothing so much as that of a physician who, in total ignorance of the constitution and complaint of his patient, has prescribed severe and sweeping remedies, and is astonished to find not only the original disease aggravated, but fresh diseases, of which there were no previous symptoms, showing themselves. These, my Lords, have been the results of the policy of which it was said that it was to bring peace and civilization, equality and security, to Ireland. I have no wish, however, to approach this question in a party spirit or with other than the most earnest desire to see the return to a better state of society; and I would urge the Government to adopt the only course which is now left them for the suppression of these outrages and the restoration of public confidence. That course must be two-fold; first, that which is self-evident and has already been alluded to by my noble Friend, the exercise to the uttermost of all the powers that belong, or that can be given to, the Executive for the suppression and punishment of these outrages; and secondly, and conjointly with it, such a full, sincere, and prompt repudiation by the Government, of the sense that has been attached by a large portion of the people of Ireland to the words so rashly spoken on the hustings, as will convince even the most credulous that the Government of this country is determined at all hazards to maintain the integrity of property and of law, as well as the security of life. By such a course you may alienate some of your present supporters in Ireland—you may lose some of those party votes for which you have paid so high a price—but you will be following the only course which is now left you for bringing about a renewal of tranquillity and order, and of security for life and property in Ireland.

THE MARQUESS OF WESTMEATH said, that the stolid obstinacy of Her Majesty's Government in the course they were adopting with regard to Ireland was already having its evil influence upon that country. The recent outrages had greatly lessened the value of property. He held in his hand a record of the attempted sale of some property in the county of Westmeath, in the Incumbered Estates Court, which showed that at a public auction only £700 was bid for an estate of 370 acres, which was valued before the agrarian outrages commenced at £8,000. The Government relied upon the Peace Preservation Act as a means of repressing these outrages; but the result had proved that they were leaning on a broken reed; while the immediate effect of the outrages had been—in the county of Westmeath—to reduce the value of property, and to make owners glad to dispose of it at almost any price. The Government were constantly repeating that no evidence could be procured for the purpose of securing the conviction of those by whom these terrible crimes were committed; but all who knew anything of Ireland knew that unless there was a strong Government capable of protecting witnesses, persons who gave evidence would stand in the utmost peril from the Ribbonmen, in danger of having their animals mutilated, and of being themselves and their families brutally beaten and outraged. They might rely upon it that no evidence would be forthcoming until the hand of the law made itself felt for the punishment of those who broke it, and the protection of those who assisted in bringing offenders to justice. But the present Government could not—did not—do anything for the protection of his unfortunate country, because they were tied down to "the Brass Band," because they were bent upon securing, at any cost, the success of their Church Bill.

EARL COWPER said, that the state of Ireland undoubtedly was—as he feared it was likely to be for some time to come—well worthy of their consideration; but if they looked at the outrages which had lately been committed, he failed to discover any grounds for the panic that appeared to prevail in some quarters. Many of the murders that had been lately perpetrated in that country were not, as far as he could see, attributable to agrarian causes. In the case of Mr.

Baker, his murder was committed by a man of notoriously bad character, who was always quarrelling with somebody, and who was just the man, in any county, to perpetrate such a crime. Mr. Anketell, the Mullingar station-master, was shot by one of the servants of the company, but on a personal grievance that had, and could have, no possible connection with the land. Captain Tarleton was a very small proprietor, and he fell by the hands of one of his labourers, who pretended to no rights of ownership; and the murder of Mr. Bradshaw had been attributed by some to personal jealousy. None of these crimes showed any symptom of being the result of an organized system of agrarian outrage. He did not deny that much was said and done in Ireland that was deeply to be deplored; but those who knew her history well knew that at certain times crimes of this description became abnormally prevalent: to a certain extent they might perhaps be owing to the suppression of the Fenian movement. A few years ago, when the desperate men of that party were looking forward to a revolution or a general rising, they held their hand; but when a happier prospect dawned upon Ireland, when all honest and sensible persons began to admit that her connection with England must, indeed, continue, but that it need not be inimical to her happiness and prosperity, then those ill-disposed and desperate wretches gave a vent to their vicious passions, and took to the dastardly trade of secret assassination. That, in his opinion, accounted to a great extent for the present unsettled state of things in Ireland.

The Earl of BANDON said, that the condition of Ireland must indeed be considered unsatisfactory, when in a city like Cork they discovered such deep laid traces of disloyalty and sedition. Anyone walking through the streets of Cork would behold what was outwardly the most prosperous city in Ireland; but below the surface there was a deep laid conspiracy, and he had been informed that three-fourths of the inhabitants were supposed to be disaffected to the British Government. He was glad the Government had at last taken action with regard to the atrocious language of the Mayor of Cork, but regretted that they had not taken proceedings against that functionary at an earlier date. He thought one of the main causes of the present disturbances in Ireland was the liberation of the Fenian prisoners. He regretted that Her Majesty's Government refused to give an outline of their views with respect to the land question. A plain declaration—which would go into no details—would calm the excitement that now pervaded Ireland on the subject, and would inform them whether it was really intended to disturb the foundations of property in that country. He agreed with the noble Lord who said that their Lordships were entitled to hear a declaration on that point before coming to any discussion upon the Irish Church Bill. They were told at present, that as nine-tenths of the soil in Ireland was owned by Protestant landlords, they ought to be able easily to support their Protestant Church; but what was the argument worth, if next year the land was—under some pretext, and in some form or other—to be transferred to the Roman Catholic tenants? The state of Ireland paralyzed and stopped all the progress of the country; and it prevented capital flowing into the country. Being closely connected with Ireland, and almost constantly resident in that country, he had ventured to call the attention of Parliament to its condition.

Motion *agreed to.*

NEW PARISHES AND CHURCH BUILDING ACTS AMENDMENT BILL [H.L.]

A Bill to amend the New Parishes Acts and Church Building Acts—Was *presented* by The Lord Archbishop of York; read 1ª. (No. 106.)

House adjourned accordingly at a quarter past nine o'clock, to Monday the 31st Instant, Eleven o'clock.

HOUSE OF COMMONS,

Thursday, 13th May, 1869.

MINUTES.] — New Member Sworn — Montague John Guest, esquire, *for* Youghal.

Select Committee — Contagious Diseases Act (1866), *appointed.*

Ways and Means—*considered in Committee.*

Public Bills—*Resolution in Committee*—Trade Marks Registration.

Ordered — *First Reading* — Poor Law Union Loans* [128]; Petroleum* [131]; Trade Marks Registration* [126]; Witnesses (House of Commons)* [129]; Titles of Religious Congregations Act Extension* [127].

First Reading—Salmon Fisheries Law Amendment * [130].
Second Reading—Pier and Harbour Orders Confirmation * [114].
Committee — Report — Endowed Hospitals, &c. (Scotland) (*re-comm.*) * [110-124].
Report—Married Women's Property * [20-122]; Park Lane Improvements *.
Considered as amended—Irish Church [112-123].
Third Reading—Pharmacy Act (1868) Amendment * [99], and *passed*.

METROPOLITAN STREET TRAMWAYS BILL—(*by Order*).—CONSIDERATION.

Bill, as amended, *further considered.*

MR. PEASE, after Clause 34, moved to insert the following clause :—

> "Notwithstanding anything herein contained, any other company, body, persons, or person, shall be entitled to use on any tramway or part of a tramway, at any time after the opening thereof respectively, carriages with flange or other wheels adapted to run upon the rails, or upon the rails and other portions of the streets or street, and moved by animal power only : provided always, that no carriage licensed to carry for hire any number of passengers shall be used on any tramway with flange or other wheels so adapted to run upon the rails by any company, body, person, or persons, other than the company hereby incorporated, except under further license from the Board of Trade, which latter license the Board of Trade are hereby empowered to grant from time to time, and the owner of such carriage shall pay to the said incorporated company such a mileage toll per carriage as shall from time to time be fixed by the said Board of Trade."

The hon. Member observed that on the second reading of the Bill he called the attention of the House to the subject of tramways, and he then stated that if he could be assured that the promoters would accept a prudent limitation of their power, so far as the narrow streets were concerned, he should not oppose the second reading. He did not oppose the formation of tramways on principle, because he thought they would afford considerable accommodation to the public; but his object was to place them under proper regulations. There were two points on which he argued against the Tramways Bill; one was, that it was proposed to place them in unsuitable positions; the other was, that it was proposed to grant a monopoly to two or three companies of a great portion of the public roadways. The Bill had been investigated by a Select Committee, who had refused to sanction the construction of the lines in the narrow roads; but he thought they had not sufficiently looked into the question of monopoly, and the object of his Amendment was simply to allow other parties to use the tramways on paying such sums as might be settled by the Board of Trade. The power of the Board of Trade was limited to granting permission on the payment of not less than one halfpenny nor more than three farthings per mile for each passenger. Now, he objected to that provision. It was a very serious thing for the House to pass a Bill giving a company a monopoly of five or six feet of the public roads. During the discussion on the subject of metropolitan tramways, in 1861, Lord Palmerston said—

> "He thought it would be a great accommodation to the public if something in the shape of tramroads could be laid down in the streets of our towns. In Milan they had a plan which was found to be of great convenience. . . If that could be done without any monopoly, but open to vehicles of any kind, it would, no doubt, be found equally useful in London."—[3 *Hansard*, clxii. 1155-6.]

He submitted that the clauses in the present Bill gave a complete monopoly to the company, for it was absurd to suppose that any persons could compete with them on the terms inserted in the Bill. In 1862, a Bill was brought in by the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) — "To authorize the construction of Tramways in Turnpike Roads and other Roads in England,"—and under that Bill the toll for every carriage using the tramways for a distance greater than four miles was only at the rate of 1*d.* per mile, although it might be an omnibus holding fifty passengers. He had looked about for precedents and could find very few; in the Liverpool Act, however, there was a clause in the very words which he was about to submit to the House by way of Amendment. He had no interest in this matter beyond the public convenience, and a desire to increase the future usefulness of tramways to the public. No less than three tramways had been sanctioned by the Committee in different parts of the metropolis; and it was probable that in the course of a short time they would be joined together, but there was no compulsory power as to affording mutual facilities for traffic. What had the House done with regard to railways? In almost every Railway Bill for the last few years ample power had been given to railway companies to run their carriages over each other's lines. As the Bill stood there was nothing to prevent the establishment of a monopoly injurious to the public interests; and, under these circumstances, he moved the Amendment of which he had given notice.

Clause (Use of Tramway by carriages other than those of the Company) *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."—(*Mr. Pease.*)

CAPTAIN GROSVENOR said, the promoters of this Bill had a fair right to complain of the course which had been taken with respect to it by the hon. Member for South Durham (Mr. Pease). That hon. Gentleman, calling to his assistance certain prejudices of the past, first endeavoured to crush the tramways; and, having failed in that, he now came forward to get the House to set aside the recommendations of the Committee, whose labours he had been so anxious to avert. The hon. Gentleman had not indicated the reason which had led him to adopt that course; but some light seemed to be thrown upon it by the General Omnibus Company having sent a pathetic letter to hon. Members of that House asking them to support the Amendment. The effect of the Amendment, if adopted, would be this—Carriages not licensed to carry passengers for hire would be allowed to use the tramways free from all expense, and no arrangement would be more delightful to the opponents of the Bill, because anyone who disliked the tramways would have it in his power to put a few gigantic vans fitted with flanges on the tramways, and these slow-going vehicles would completely block up the traffic, not only as regarded the company, but as regarded the public, who would stigmatize the tramways and all connected with them as public nuisances. There could be no monopoly under the Bill as it stood, for clauses had been inserted which would effectually provide against that. If this Amendment were passed people would be unwilling to embark their capital in such an undertaking, and the tramways could not possibly be carried out. He appealed to the House not to set aside the recommendations of the Committee in deference to an unreasonable hostility, which had shirked the argument of the matter before the Court appointed to deal with it.

MR. SCLATER-BOOTH, as Chairman of the Committee which had considered the Bill, desired to say that that Committee were unanimous in their decision, and that the most stringent restrictions against a monopoly were inserted in the Bill. There was no monopoly of the road; the only monopoly in question was a monopoly of the rails. The Committee passed the Preamble on condition that restrictions were placed on the monopoly of the rails, and the opponents of the Bill thereupon withdrew from the Committee. The Committee and the promoters were therefore left to draw up the restrictions, and the promoters suggested restrictions, which were adopted and which were more stringent against themselves than the Committee would have insisted upon. Those restrictions provided that after twenty-one years the street authorities might purchase the tramways, and that after three years other parties might be licensed by the Board of Trade to use them, and, of course, the Board of Trade would carry out that power if they thought the public did not obtain the full benefit of the tramways. The Committee had cut out of the Bill the proposal to carry the tramways through narrow thoroughfares, and had confined them to the centre of wide streets. If the clause moved by the hon. Member were agreed to, the tramways would become a public nuisance, and would have to be taken up. The case of the Liverpool tramways, to which the hon. Member had referred, was very different from those proposed to be authorized by the Bill, because the streets of Liverpool were under the sole control of the corporation of the town, who had it in their power to make any conditions they thought fit; whereas the streets of London were under the concurrent authority of the Metropolitan Board of Works, the Commissioners of Police, and the vestries and road trustees. Moreover, there would be a considerable difference in the cost of the proposed tramways and that of the Liverpool tramways, for whereas the latter had only cost £2,400 per mile, a large portion of the metropolitan tramways would cost £12,000 per mile, for the Committee had imposed on the promoters the condition of paving the road used by them with granite, and maintaining it at their own expense, in order that the general public might not be inconvenienced by the protrusion of the iron rail above the surface of the ground, which was the cause of the failure of Train's tramways. That was not the occasion for settling the principle of the Bill, and he hoped the House would be satisfied that the Committee had imposed such restrictions on the monopoly of the rails as would be to the interest of the public.

Mr. BRIGHT: I hope my hon. Friend (Mr. Pease) will not divide the House upon this Bill. He knows perfectly well—and I believe the omnibus proprietors know perfectly well—that the House is not likely to be a good judge of details of this nature. When the Committee decided in favour of the principle of the Bill, the omnibus proprietors withdrew. They did not make opposition, or suggestions, or amendments which possibly might have assisted the Committee in concluding the details of the Bill. But the proprietors were apparently under the belief that, by retiring from the Committee, which had all the facts and all the evidence, they would have a better chance of opposing the Bill by appealing to the House, it being without the evidence. This matter has been carefully considered by the Department to which I have the honour to belong, and the opinion of the Board of Trade is that the carrying of these clauses would be tantamount to the overthrow of the tramway. There is no safeguard which is necessary that has not been put into the Bill; and I think, from the statement of the Chairman of the Committee, the House will agree that the promoters of the Bill were very willing to concede everything it was possible to concede in carrying out this great improvement for the metropolis. I do not know how my hon. Friend and I differ on a matter of such a nature; but he will do a great disservice to the metropolis if he persuade the House to adopt these clauses.

Mr. PEASE said, he had nothing to do with the omnibus people. He had taken the matter up on public grounds; but, after what had been stated by his right hon. Friend the President of the Board of Trade, he would ask leave to withdraw the Amendment.

Motion and Clause, by leave, *withdrawn.*

Bill to be read the third time.

METROPOLIS—FINSBURY PARK.

QUESTION.

Mr. W. M. TORRENS said, he wished to ask the First Commissioner of Works, Whether, having regard to defects in the Act of 1857 respecting Finsbury Park, he will bring in a Bill to declare the trusts for which it was passed, and otherwise to amend the same?

Mr. LAYARD, in reply, said, that it was a very peculiar case. By an Act passed in the year 1857 the Metropolitan Board of Works were empowered to purchase 250 acres of land, for the purpose of a park in Finsbury, and they were at the same time authorized to sell for building purposes twenty acres, which might not be necessary for the park, in order to recoup themselves part of the expense of constructing the park. The Board had to deposit plans in the office of the First Commissioner of Works, and he presumed that by so doing they were bound not to deviate from those plans without his sanction. The Board availed themselves of the powers conferred by the Act, but only purchased 115 acres, and they at present wished to deduct from that quantity twenty acres for building purposes, that being the amount they were authorized to deduct from 250 acres. It appeared that they were desirous of taking the twenty acres principally from land adjoining the Seven Sisters' Road, and the inhabitants of the north of London considered that building on that land would materially interfere with the proper enjoyment of the park. He had received a Memorial signed by nearly 14,000 persons, including ministers of all denominations, and the leading inhabitants of Finsbury, protesting against that proceeding of the Metropolitan Board of Works. His power, as Chief Commissioner of Works, over the Board had, however, been rescinded by an Act passed in the year 1858, so that he had, at present, no control over them. Under those circumstances he had addressed himself privately to his hon. Friend the Member for Bath (Mr. Tite), who always took a large and liberal view of these matters, and at a meeting of the Metropolitan Board of Works his hon. Friend moved that the land in question should not be taken from the park; but he was defeated by a majority upon a division to rescind the Resolution which had already been come to on the subject, and the Board were now proceeding to exercise their alleged right. He (Mr. Layard) understood that right was a doubtful one, but he had no power to interfere. He was afraid that those persons who were interested in the park must have recourse to legal proceedings if they wished to test the right claimed by the Board. His sympathy was with the Memorialists, and he would be prepared to afford them any assistance in his power.

Viscount ENFIELD said, he would beg to ask the hon. Member for Bath, Whether it is true that the Metropolitan Board of Works have refused to rescind their resolution to sell twenty acres of the land purchased by them for the purpose of Finsbury Park?

Mr. TITE, in reply, said, it was perfectly true that the Metropolitan Board of Works had refused to rescind their resolution to sell twenty acres of the land they had purchased for the Finsbury Park. It was originally intended that there should be a large park on the north side of London, and the Metropolitan Board of Works were authorized to carry out that scheme, the Government undertaking to grant them £50,000 towards the expenses of the 250 acres they were to purchase. The House, however, subsequently decided that the Government should not interfere in the matter, and consequently the whole of the outlay had to be met out of the rates, and not out of the coal duties nor any public fund. The Board, thereupon, determined to buy only 120 acres, which they did, at a total expense of £90,000. That money was raised to a great extent from the poorer classes in the metropolis, and he was quite sure the House would agree with him that it would be desirable the Board should, if possible, recoup themselves, to a certain extent, out of the land that had been purchased, for a portion of their expenditure. Ten acres out of the twenty set apart for building purposes were at the bottom of the land near the railway, and to that portion of the scheme no exception had been taken. The other ten acres ran along a fine road recently laid down towards the Seven Sisters' Road, and he had always opposed the proposal to apply that land to building purposes. But when he had recently brought the question before the Board again he had been defeated by a majority of 25 votes to 16. It appeared that the only power the Board had was a power to sell, and not to lease, and before they could make an offer of sale the park must be finished, and it must also be shown that the land was not essential to the park. That question, he apprehended, might be raised by a writ of mandamus. It further appeared that the former owner of the land had a right of pre-emption at the price of the day; but whether he would take it or not remained to be seen. If he did not, then it seemed the Board would have the power to sell in the open market; but he found they could not demise the land for building purposes. Under these circumstances he thought that his hon. Friend and the House might feel assured that there was very little likelihood the sale of that portion of the land would take place; but that was the only assurance he could give upon the subject.

JUVENILE OFFENDERS IN REFORMATORY SCHOOLS.—QUESTION.

Dr. LUSH said, he would beg to ask the Secretary of State for the Home Department, Whether, in the case of juvenile offenders sent under the Act 17 & 18 Vic., c. 86, to certified Reformatory Schools, care is taken to afford instruction in handicraft trades, or whether in any such certified Reformatory Schools employment is limited to field labour?

Mr. BRUCE replied that, as a rule, a certain number of the boys were taught handicrafts, and he was not aware that in any schools the instruction was limited to field labour. Field labour, however, did occupy the chief attention, because it was felt that for many of the boys it would be an advantage that they should emigrate to the colonies, where, of course, field labour would be of the greatest service to them.

SPAIN—CASE OF THE "TORNADO."
QUESTION.

Mr. BENTINCK said, he wished to ask the Under Secretary of State for Foreign Affairs, If any answer has yet been received from the Spanish Government to the proposal made to it by Her Majesty's Government in December last, that the case of the "Tornado" should be re-heard before a Special Tribunal, and, if so, what are the terms of such answer; and, if he will lay upon the Table of the House all Communications received by Her Majesty's Government, subsequent to the 26th of February last, from Mr. Graham Dunlop and other persons respecting the case of the "Tornado" and her crew?

Mr. OTWAY said, in reply, that the Foreign Office had received a despatch from Madrid, stating that the Spanish Government had declined to accede to our request that the case of the *Tornado* should be referred to a special tribunal. The reasons for this refusal were given very fully, and those reasons would be communicated to the Law Officers of the Crown. He had that day laid upon the table of the House all the communications that had passed on the subject subsequent to the 26th of February, with the exception of a despatch from Mr. Graham Dunlop, which, though it did refer to the case of the *Tornado*, contained the account of a conversation with a Spanish officer, now dead. It was, therefore, thought desirable not to lay that despatch on the table with the others.

IRELAND — SHANNON SALMON FISHERIES.—QUESTION.

Mr. W. ORMSBY GORE said, he wished to ask the Secretary to the Treasury, Whether it is the intention of the Government to construct the salmon ladders so long promised on the Shannon, and when the eel weir at Ruskey is to be removed, in accordance with the unanimous recommendation of the Committee on the River Shannon of last year?

Mr. AYRTON said, in reply, that the subject had not been brought under the consideration of the present Government, although it occupied the attention of their predecessors. Objections were then raised to the construction of these works, and no order was given upon the subject. If, however, the owners who might be benefited by them would submit any proposal to the Government, and at the same time explain how they proposed to find the funds to defray the expenses which would be incurred, they would take those proposals into consideration, and afford any assistance to carry out their views. The difficulty hitherto had been that these proprietors were extremely anxious to have the improvements effected, but they did not show any activity in stating how the money was to be provided to carry them out.

INDIA—RAILWAYS.—QUESTION.

Mr. KINNAIRD said, he wished to ask the Under Secretary of State for India, Whether he has any objection to lay upon the Table of the House Copy of the Despatch recently received from the Government of India regarding the construction of new lines of Railway in the three Presidencies?

Mr. GRANT DUFF: The despatch, Sir, to which my hon. Friend refers is still under consideration. There will not, I believe, be any difficulty about laying it on the table when a decision has been arrived at with regard to the matter of which it treats.

IRELAND—EXTRA POLICE IN TIPPERARY.

QUESTION.

Mr. BAGWELL said, he wished to ask the Chief Secretary for Ireland, What number of extra Constabulary have been sent to the County Tipperary, and on what districts or townlands the payment of such extra force is to be levied?

Mr. CHICHESTER FORTESCUE said, in reply, that the extra constabulary sent to the county Tipperary had been distributed as follows:—Six in the district of Cashel, ten in the district of Bansha, nine to Tipperary town, and six to Dundrum—making thirty-one in all; and the cost of this extra protection would be charged on the districts requiring it; but what townlands were included he was unable to say.

PARLIAMENT—CRYPT OF ST. STEPHENS.—QUESTION.

Mr. LOCKE KING said, he wished to ask the First Commissioner of Works, What amount has been expended in the embellishments of the Crypt of Saint Stephen's; when that expenditure commenced; by whose order it was undertaken; and out of what fund the cost has been paid; and, if ever the Crypt is completed, to what use it is to be appropriated?

Mr. LAYARD said, in reply, that £1,953 had been expended for embellishments and fittings, the cost of the embellishments having been about £830. The expenditure on the crypt commenced in 1854, under the authority of a Vote of that House, the works being authorized by his two predecessors, the right hon. Member for South Hants (Mr. Cowper) and the noble Lord the Member for South Leicestershire (Lord John Manners). Both the crypt and the baptistry were complete, and were ready for the use of Members if required. It was not for him to determine to what use they were to be placed; but he believed it was intended, when the repairs were begun, that the crypt should be used as a place of worship for the numerous residents in the building.

VELOCIPEDES AND POST OFFICE SERVICE.—QUESTION.

MR. HAMBRO said, he would beg to ask the Postmaster General, If it is a fact that in certain parts of Wales the Post Office Mails are now conveyed on velocipedes instead of on horses; and if this change has been found to add to the efficiency and economy of the Service?

THE MARQUESS OF HARTINGTON said, in reply, that no such change as that to which the hon. Gentleman alluded was at the present contemplated. An experiment had been tried, or would shortly be tried, to ascertain whether in certain rural districts these machines could be used by post messengers—on roads which were not very hilly, and were otherwise adapted for the purpose. But as the practice of riding or driving upon velocipedes did not form part of the examination by the Civil Service Commissioners, he thought it would be necessary to allow the use of these machines to be optional.

MERCHANT SEAMEN AND GREENWICH HOSPITAL.—QUESTION.

MR. ARMITSTEAD said, he would beg to ask the First Lord of the Admiralty, What means those seamen of the Mercantile Marine who may have claims upon the Greenwich Hospital Fund should adopt to obtain their share of the £4,000 set apart by the Government for their benefit?

MR. CHILDERS said, in reply, that the allotment of £4,000 to the Mercantile Marine was only proposed by the Bill now before the House, and, until it became law, seamen would not have any means of making claims. When it had passed, the Admiralty would communicate with the Board of Trade, and make arrangements under which seamen would be able to apply if they were qualified according to the regulations.

THE CLERGY AND PARLIAMENT.

QUESTION.

MR. DIXON said, he would beg to ask the First Lord of the Treasury, Whether he was aware when he gave it as his opinion that all persons who have received episcopal ordination are thereby disabled from sitting in Parliament, that it was thought necessary to prevent, by special enactment in the Roman Catholic Relief Act (1829) the Roman Catholic Clergy from sitting in Parliament?

MR. GLADSTONE: Sir, I must beg leave to correct the answer I gave on a former occasion. My learned Friends the Attorney and Solicitor General advise me that, according to their view, sustained, no doubt, by the existence of that clause in the Roman Catholic Relief Act, that the provision contained in the Act passed in the case of Horne Tooke would not be understood to exclude from Parliament clergymen other than those of the Established Church. If that be so, the state of the law is one of anomaly and confusion still greater than I had supposed, and certainly it ought to receive the early attention of Parliament. It is not easy to see the precise manner in which it ought to be dealt with; but it is not possible to make any attempt to alter the law in the Bill now passing.

IRELAND — LORD MAYOR OF DUBLIN.

QUESTION.

MR. WINGFIELD VERNER said, he wished to ask Mr. Attorney General for Ireland, Whether it is or is not the case that the Lord Mayor of Dublin retains the commission of the peace for the year succeeding his year of office?

THE ATTORNEY GENERAL FOR IRELAND (Mr. SULLIVAN) said, in reply, that the Lord Mayor of Dublin did not retain the commission of the peace for the year succeeding his year of office. The misapprehension upon the subject had probably arisen from the fact that the Lord Mayor of Dublin presided in the Court of Conscience during the year following that of his mayoralty, but he did so not as a justice of the peace, and not by statute, but by immemorial custom.

BRITISH GRAVES IN THE CRIMEA.

QUESTION.

Mr. STOPFORD said, he wished to ask the Under Secretary of State for Foreign Affairs, What is the total sum which has been spent on the maintenance of British Graves in the Crimea; who is or has been responsible for the proper application of such sum; and will he lay upon the Table Sir Andrew Buchanan's recent Despatch on the subject?

Mr. OTWAY said, in reply, that the entire sum spent had been £3,291 15*s.* 3*d.*, and the expenditure ranged over a period of six years, from November, 1860, to November, 1866. It included the remuneration of custodians and watchmen, as well as repairs. He was glad of an opportunity of stating these facts, because exaggerated accounts of the expenditure had appeared in the papers. The gentlemen who had been responsible for the application of the money were the two consuls at Kertch, who had been directed to visit the graves periodically and report on their state. A small sum had also been expended by the consul at Odessa. The despatch of Sir Andrew Buchanan contained other matters than an account of his visit in company with the Prince and Princess of Wales to the Crimean graves, and therefore it would be inconvenient to lay the despatch on the table; but he would be glad to allow any hon. Member to see that part of the despatch referring to the condition of the graves.

CANADA—REDUCTION OF FORCES.

QUESTION.

Sir JOHN HAY said, he would beg to ask the Secretary of State for War, Whether, under existing circumstances, he intends to carry out his plan of reducing the Forces in Canada?

Mr. CARDWELL, in reply, said, instructions had been given for the removal from Canada of a portion of Her Majesty's Forces; the order was now in the course of execution, and it was not the intention of the Government to countermand it.

Colonel NORTH said, in consequence of that answer, he would beg to ask whether it is intended that those troops that remain should be left in such a state of efficiency as to numbers that they would be prepared for any emergency?

Mr. CARDWELL said, that due regard had been paid to what was required by circumstances in the re-distribution of Her Majesty's troops in British North American Provinces.

INDIA—PUNJAUB TENANCY ACT.

QUESTION.

Sir CHARLES WINGFIELD said, he wished to ask the Under Secretary of State for India, Whether a Petition has been received from the Chiefs and Landholders of the Punjaub, complaining of an Act passed in October last, called the Punjaub Tenancy Act, as an infringement of the customs of that Province; and, if not, whether he has heard that such a Petition has been submitted to the Governor General for transmission to the Secretary of State; and whether the Secretary of State for India has sent any instructions to the Governor General on the subject of the above Law?

Mr. GRANT DUFF: Sir, vague rumours respecting this Petition have reached me, as they appear to have reached my hon. Friend, but no official information has been received about it, and no instructions whatever have been sent to India.

IRISH CHURCH BILL — PROFESSORS OF MAYNOOTH.—QUESTION.

Mr. STAPLETON said, he would beg to ask the First Lord of the Treasury, Whether he intends to introduce any words into the Irish Church Bill to secure the life interests of the Professors of Maynooth, in accordance with the statement to that effect made by the Attorney General for Ireland when the House was in Committee; or whether those gentlemen are now satisfied that their life interests are secured by the Bill as it stands?

Mr. GLADSTONE: Sir, on re-consideration we are of opinion that the words which have been introduced into the Bill are practically sufficient for the purpose of securing the life interests of the Professors of Maynooth, and we have not the least reason to suppose that those gentlemen are dissatisfied with the security afforded to them.

IRELAND—RIOTS AT LONDONDERRY.

QUESTION.

SIR FREDERICK HEYGATE said, he wished to ask the Chief Secretary for Ireland, Whether the Government have decided in what way the promised full inquiry into the late loss of life at Londonderry is to be carried out; whether by two Commissioners appointed by the Government; and how soon such inquiry will be made?

MR. CHICHESTER FORTESCUE said, in reply, that inquiry would be conducted by two Commissioners—eminent barristers—in precisely the same manner as the inquiry into the riots at Belfast had been conducted some years ago. The appointment of those gentlemen had not yet been made, but he hoped it would take place in the course of a few days.

ARMY—MILITIA OFFICERS.

QUESTION.

MR. STACPOOLE said, he would beg to ask the Secretary of State for War, with reference to the new regulation giving a step of honorary rank to Militia Officers of certain standing, Whether he proposes to take into consideration, as a qualification for such step, lengthened service with embodied regiments, as distinguished from attendance at the annual training?

MR. CARDWELL, in reply, said, it was proposed to give an honorary rank to officers who had served a certain number of years; but no distinction was to be made whether regiments which had been embodied or disembodied.

METROPOLIS—VICTORIA PARK.

QUESTION.

MR. COWPER said, he wished to ask a Question with regard to Victoria Park. An apprehension existed amongst the frequenters of the Park that a public-house was about to be opened within its precincts, in which spirituous liquors were to be freely sold. He should be glad to hear from his right hon. Friend the First Commissioner of Works, What are the intentions of the Government, with a view to allaying this apprehension?

MR. LAYARD said, in reply, that he was much obliged to his right hon. Friend for giving him that opportunity of explaining a matter which had been very much misrepresented. The House was aware that Victoria Park was in a part of London inhabited chiefly by the working classes, many of whom came from considerable distances, bringing with them their wives and families, in order to enjoy a day in the Park. Hitherto the principal refreshments to be had in the Park were sour ginger beer and stale buns. The working man could not dine upon such food as that, and he thought it would be a great boon to him to authorize the selling of cooked meats, and something which might furnish him with a dinner, so as not to render it necessary for him to take his wife and children out of the Park to one of the numerous small pot-houses which had sprung up round about. But it was not true that he had authorized the sale of spirituous liquors; he had, on the contrary strictly prohibited anything of the kind. Beer had always been sold in the Park. There was to be no bar drinking, and if he should hear of any case of intoxication, he would withdraw the privilege which had been accorded. He believed the real promoters of the commotion against the change were the keepers of beer-shops in the neighbourhood of the Park, who feared they would lose some of their trade by the innovation.

ELECTION COMMISSIONS—QUESTION.

SIR JAMES ELPHINSTONE said, he wished to know, Whether the Royal Commissions which have been ordered to issue for the purpose of investigating the Elections at Norwich, Beverley, and other places were about to sit, because it was very important? ["Order!"] With a view to placing himself in Order he would conclude with a Motion. It was very important that these inquiries should be carried on as speedily as possible, in order that if these places were proved not to have been engaged in corrupt practices new Writs might be issued during the present Session. He begged to move the Adjournment of the House.

THE ATTORNEY GENERAL said, he entirely concurred with the hon. Member that it was desirable that these Commissions should sit as soon as they conveniently could, and he had every reason to suppose that when the Commissions were issued the Commissioners would immediately make arrangements for their sitting. But he had to inform the hon. Member that the Commissions must first be agreed to by the other House of Parliament. They would probably be agreed to by that House soon after Whitsuntide, and he trusted that after that there would be no delay.

Motion, by leave, *withdrawn.*

IRISH CHURCH BILL—[Bill 112.]

(*Mr. Dodson, Mr. Gladstone, Mr. John Bright, Mr. Chichester Fortescue, Mr. Attorney General for Ireland.*)

CONSIDERATION.

Bill, as amended, *considered.*

Mr. GLADSTONE *moved,* after Clause 61, to insert the following clause:—

(Moveable chattels belonging to see or Church.)

"Nothing in this Act shall affect the property in or the right to any plate, furniture, or other moveable chattels belonging to any see or to any Church or Chapel, or used in connection with the celebration of Divine worship therein, and where any property is vested in any Ecclesiastical or Cathedral Corporation in Ireland in trust for the poor or any other charitable purpose, the dissolution of such Corporation shall not affect the continuance of the trust, but such property shall immediately upon such dissolution vest in the representative body of the said Church, or in default of, and until the same shall be constituted, in the Commissioners for the execution of this Act, but subject always to the trusts affecting the same, and under the same supervision, local or otherwise, as theretofore, or as near thereto as the circumstances of the case will admit; and in all cases where ecclesiastical persons are at present in right of their dignities or offices entitled to be members of any lay Corporations constituted for the management of any private endowment, or are trustees for the management of property belonging to institutions of private foundation for purposes not ecclesiastical, then the persons (if any) who shall hereafter at any time discharge duties similar or analogous to those now discharged by such ecclesiastical persons, shall be entitled to succeed in their room, and be members of such lay Corporations, and to act as such taustees.

Clause (Moveable chattels belonging to see or Church,)—(*Mr. Gladstone,*)—*brought up,* and read the first and second time; amended, and *added.*

Mr. BENTINCK moved, after Clause 15, to insert a new clause (Provision for the officers of Cathedral Churches in Ireland). The officers to whom he referred seemed to have been altogether lost sight of by the framers of the Bill; but he submitted that any person, holding an appointment which it had been the custom to give for life, subject, of course, to good behaviour, had virtually a life interest in his office. If equity were disregarded, it might be said these officers had no strictly legal title for life; but it would be very unjust, on this account, to deprive them of compensation, if the Bill made it impossible to retain them in their offices. He styled them non-capitular members in his clause because, although they did not belong to the governing Body of the Church, they were members of the foundation. They were of two classes—those appointed to some of the older cathedrals in Ireland under charter, and those appointed under special contract with the Dean and Chapter according to the customs of the Church. Thus it would be seen they held office on terms precisely similar to those regulating the tenure of non-capitular members of English cathedrals. By Clause 14, there was a power to give compensation to ecclesiastical persons other than curates; and in the early part of the clause it was provided that the Commissioners should ascertain the amount of their annual income with a view to such compensation. The Interpretation Clause, Section 68, was, in his opinion, applicable to those who held lay offices, vicars choral, and others, in cathedral and collegiate churches. But then came a declaration by the Attorney General for Ireland, and another by the First Lord of the Treasury, from which it would appear that it was not intended that any person should be included who did not hold a freehold. Now, it was quite clear that this question was very important as affecting the rights of individuals. He understood there were two objections to this clause. First of all, it was said that these persons had not an estate of freehold, and therefore could not take any advantage under Clause 14. But the right hon. Gentleman who held that opinion seemed totally to forget that there were many individuals who had not freehold offices, and yet retained their life interest under the Bill; for instance, the Professors of Maynooth. No one would maintain that they had any freehold office, neither had the curates, nor the Ecclesiastical Commissioners. He would illustrate the position for which he contended by a reference to two officers in the Cathedral of St. Patrick's, Dublin. Mr. William Murphy, for the last thirty-five years, had been master of the boys, and librarian of St. Patrick's. This gentleman held the office of Master of Song, which was of very ancient date, and was mentioned in the original charter of Charles I., in 1640. In consequence of the change in the value of money, the sum of £20, which was the salary attached to the office, was no longer able to maintain the master of the boys, and, therefore, an addition was made to it which brought it up to £100 a year. Then there was the case of Mr. Carnegie, the verger of St. Patrick's. He had served twenty-five years, and his position was analogous to that of Mr. Murphy. Under the provisions of the Bill, as it stood at present, these officers were intitled, in the one case, to £20 a year, and in the other to a small stipend, but not to the augmentation they had received; and, therefore, if the Bill passed in its present shape, it would form a most dangerous precedent with respect to the English cathedrals. He would take, in illustration of his argument, the case of Westminster Abbey. In that church certain officers were only entitled to be paid their statutable stipends. The augmentations of those stipends were derived from the fund made up of the fees taken for showing the Abbey. When it was found, some years ago, that it was impossible that these officers could be maintained by their statutable stipends, the Dean and Chapter handed over the money, which was received for showing the Abbey, to be divided among them, just as the money taken for showing the cupola of St. Paul's was now divided among the non-capitular members of that cathedral. Well, if the precedent under this Bill was established—if Westminster Abbey ever came to be dealt with in the manner that St. Patrick's was dealt with now, the officers to whom he referred would only be entitled to a very small sum indeed. Under these circumstances, he would submit that those officers who held their places by charter, and were maintained by augmentations were legally entitled to the whole of their stipends. Then he came to the second class of cases, which involved still greater hardship,—namely, where officers held their places by distinct contract with the Deans and Chapters; in the case of the cathedral of Armagh, and he believed also of another cathedral, for a great number of years past the office of vicars choral had been filled by persons not skilled in music, but who acted as trustees of the funds to be paid over to the Dean and Chapter for the benefit of persons who held their places on the distinct understanding that it was to be for life and on good behaviour. Persons who had held places in the English cathedrals had been induced to go over to Armagh and Dublin to fill posts better in regard to annual income, believing that they would stand exactly on the same footing as they had done in England. He had in his pocket a letter from a gentleman of the highest respectability, who was originally in the choir in Armagh, was then appointed to a place in Westminster Abbey, and was afterwards elected to a stipendiary office in Dublin, and had since been placed on the foundation there. That gentleman had been led to believe that his first situation would be precisely the same as regarded tenure as the place he formerly held in England. Another case was that of a distinguished person, Dr. Stewart, organist of Christ's Church in Dublin. Dr. Stewart assured him that if the terms of the contract had not been what he understood them to be, and what were stated to him by the Dean and Chapter, he would never have accepted the office. It might be objected that those interests were provided for by the Amendment in Clause 17, which was partly suggested by himself during the discussion in Committee. By that clause, as amended, it was competent for claimants to go before the Commissioners and state their case, and the Commissioners were vested with a discretionary power of giving them a sum of money by way of compensation, either by a single payment or by a life annuity as they should, with the consent of the Lords Commissioners of the Treasury, determine. Now, as all those individuals, under the circumstances which he had stated, not only supposed themselves, but were held by those who engaged them, and the other parties to the contract, to have interests for life, or during good behaviour, he he would ask whether it was fair to say to them—"There was no doubt as to what was your understanding, and no doubt that you have an equitable title;

the onus of proof is thrown upon you; you must go before the Commissioners and prove your case. If they think you have no case they will dismiss you, and you shall have no right of appeal; and after all, even when the Commissioners have decided in your favour, you are to be remitted to the tender mercies of the Treasury." That was a most unjust proposal. He believed the present Commissioners would be disposed to do justice; but then they were removable, and might be succeeded by other Commissioners less favourable to those claims; and last of all, they saw looming in the distance the iron hand of the Treasury. The Chancellor of the Exchequer or the Secretary of the Treasury might be unwilling to entertain those claims, which might be treated in a manner similar to the clerks of certain departments, who had great hardships to complain of lately. Therefore, he could not think the right hon. Gentleman opposite would object to the very reasonable proposition which he now humbly submitted, more especially, too, as those claims were extremely few in number. In introducing that Bill the right hon. Gentleman at the head of the Government said—

> "We must respect every vested interest, every proprietary right, every legitimate claim, and in every case of doubt that may arise we must honestly endeavour to strike the balance in favour of the other party and against ourselves."

Now, as he thought, he had made out to the satisfaction of the House that the individuals to whom he referred had a just and equitable right, he called on the right hon. Gentleman to consider favourably their "legitimate claim," and, if need be, "to strike the balance against himself and in their favour."

Clause (Provision for the officers of Cathedral Churches in Ireland,)—(*Mr. Bentinck,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."—(*Mr. Bentinck.*)

Mr. PIM said, he hoped the Government would accede to the proposal of the hon. and learned Member for Whitehaven (Mr. Bentinck.) If these persons had not an absolute freehold right, they had certainly a fair equitable claim. Their predecessors had held their offices for life, and they themselves had had no doubt that they would do the same. It appeared to him that that was more than a case of doubt; that the case strongly inclined in favour of these officers; and he hoped the Government would accept the clause.

Mr. VANCE said, he had himself already brought the case of these persons before the House, and he would not repeat his previous arguments; but he must remind the right hon. Gentleman that members of the stipendiary choir at Armagh, though not the holders of freehold offices, have claims on the freehold. He would give his earnest support to the clause.

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan) said, it was quite impossible for him to accede to that proposal. In truth, the matter had been discussed before, and decided upon by the House. It would be quite absurd to treat an organist or a singer in a choir as a freehold officer. If a singer lost his voice was he to be compensated out of the funds of the Dean and Chapter for the rest of his life? The Bill carefully drew a distinction between offices which were freehold and those which were non-freehold, and in regard to the latter category words were introduced at the end of Section 17 to give the Commissioners the widest discretion in dealing with those non-freehold officers where it was conceived that they were, or might be, deprived of any income by that Act; and that was the utmost limit to which they could in reason possibly go. Inasmuch as it was quite possible that some of those officers connected with cathedrals might be able to establish that they had a freehold office, they ought not, perhaps, to be precluded from establishing that. For instance, there was a very nice question connected with one office—that of the Master of Song in the cathedral to which the hon. and learned Member (Mr. Bentinck) had referred; and there was also the case of the vergers of cathedrals. What he therefore proposed to do in order to meet those cases was to insert in Clause 16, line 22, after "Ireland," the words "or other holder of afreehold office of a similar nature connected with such church." That would enable everyone of those officers to establish that he had a freehold office if he could, and if he could not he must fall back upon Section 17.

MR. BENTINCK said, he would not press his clause at present; but he wished to correct his right hon. and learned Friend on one point. If his right hon. and learned Friend walked across to Westminster Abbey he would find a number of singing men who had freehold offices limited to the extent that he had pointed out; and it was not possible in Westminster Abbey or in any of these cases for the Dean and Chapter to deprive those singers of their places if they lost their voices. Under the circumstances, however, he would accept the crumb thrown out by the right hon. and learned Gentleman.

Motion and Clause, by leave, *withdrawn.*

MR. PIM *moved,* after Clause 17, to insert the following clause:—

(Compensation to ecclesiastical persons not otherwise provided for.)

"In any case, not herein otherwise provided for, in which any ecclesiastical person shall or may be deprived of yearly income, or may suffer pecuniary loss in any manner through the operation of this Act, the Commissioners may, if they think fit, pay to such person such sum by way of compensation, either by a single payment or by a life annuity, as they shall, with the consent of the Lords Commissioners of Her Majesty's Treasury, determine."

Clause (Compensation to ecclesiastical persons not otherwise provided for,)—(*Mr. Pim,*)—*brought up,* and read the first time.—(*Mr. Pim.*)

Motion made, and Question proposed, "That the said Clause be now read a second time."

MR. GLADSTONE said, it would not be in the power of the Government to accede to a clause worded so widely. Its operations extended not merely to any persons deprived of a yearly income —though that was wide enough—but to any person who might suffer pecuniary loss, and that in any manner, under the operation of the Act. The words, though confined at present to ecclesiastical persons, would, if extended to the laity, carry compensation to a tradesman who had been in the habit of supplying some rich ecclesiastical establishment. The Commissioners would carefully examine any case that might be raised.

MR. PIM said, he would withdraw the clause, hoping that the Government might find it possible to adopt it in some amended form providing for extreme cases.

Motion, and Clause, by leave, *withdrawn.*

MR. M'MAHON said, he had communicated with the Attorney General for Ireland relative to the clause of which he had given notice for admitting the proctor of the diocesan court of Ferns, a solicitor. He understood from the right hon. and learned Gentleman that a Bill for transferring matrimonial causes to the Probate Court would shortly be introduced, and therefore he should withdraw it.

SIR ROUNDELL PALMER, in moving after Clause 65, to insert the following clause—

(Annuities not to be forfeited because annuitants do not consent to alterations in articles of Church.)

"No alteration which may be made in the present articles, doctrines, or formularies of the said Church shall be deemed binding in law upon any person entitled to an annuity under this Act, who shall not consent thereto, or agree to be bound thereby, so as to render him liable to forfeit or be deprived of his annuity, in case of his not conforming to such alteration, and by reason thereof."

said, he should be disappointed if any objections were raised to the principle which it embodied. Nothing could be stronger or more sincere than the declarations which had been made that in the view of the Government it was strict right and mere justice not to take away the vested rights of individuals without giving them full compensation for their life interests. As matters at present stood, no life interest of a clergyman could be taken away except for noncompliance with the conditions upon which his emoluments were held, and no one could deprive an ecclesiastical person of his freehold by imposing upon him new terms of ecclesiastical communion. The House had declared that the present life interests should be respected, but subject to the condition that the discharge of spiritual duties was also to be continuous. It was provided by the Bill that the present rules and ordinances of the Church should continue, subject to a power of alteration after the 1st of January, 1871, by the new Governing Body which was then to come into existence. Such a power of alteration was, of course, perfectly good as regarded those who agreed to be bound by it, but it should not be exercised to the detriment of those who had acquired life interests under the existing condition of things. Power ought not to be given to the new Church Body to compel clergymen to perform duties different, in a religious sense, from those which they had undertaken, or to submit to new terms of communion, as the condition of continuing to receive the payments to which they were now entitled. Originally he had given notice of this Motion in somewhat wider terms; but as it was apprehended that difficulties might, perhaps, be raised by unreasonable persons as to the exact meaning of the words "discipline and ordinances," it was thought better to limit the wording of the clause to "articles, doctrines, and formularies," because these were distinct and intelligible, and comprehended everything that could be matter of conscience to an individual in the discharge of his spiritual duties. He need not vindicate the use of the words articles and doctrines, and he need not say much as to formularies; but it should be remembered that formularies might operate as exclusive tests. Take the case, for instance, of the Ordination Service, or of the Offices for the administration of the Sacraments. A change in any of those formularies might be considered by those disapproving as involving important points of doctrine. It was quite right that the future authorities of the Church should have the power of making arrangements with regard to the government of the Church; but it would be most improper that they should have the power of introducing changes, so as to take away the livelihood of men who conscientiously objected to those changes. It might be said that it was not likely such changes would be made; but there could surely be no harm in guarding against the possibility of terms being imposed which would alter the spiritual conditions of tenure of an ecclesiastical office —changes which, as matters now stood, could not be introduced. He trusted that the House would not permit such gross and flagrant injustice to be inflicted upon individuals as that they should lose their annuities, not in consequence of any breach by them of the regulations of their Church, but because they were unable to comply with alterations of substance in those regulations which might be made without their consent.

Clause (Annuities not to be forfeited because annuitants do not consent to alteration in articles of Church,)—(*Sir Roundell Palmer,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."—(*Sir Roundell Palmer.*)

MR. GLADSTONE said, the hon. and learned Gentleman was quite right in supposing that upon the main principle which formed the foundation of his argument, the Government were ready to agree with him. It was not to the principle, but to the mode of applying it suggested by the clause, that they objected. The Bill would, undoubtedly, effect an immense change in the condition of both the Irish Church and its clerical officers, and in their endeavour to carry out that change the Government were bound to the observance of two points which it was not very easy to reconcile, and the difference between which the clause of the hon. and learned Member brought out in its sharpest force. The first of these points was the protection of the individual rights of the clergy, whether as regarded pecuniary matters or their status. The second point to be kept in view was that this great change should be effected with as little shock and disturbance to the general community of the Church as possible. In framing the Bill, these two points had been kept in view as far as possible. The hon. and learned Member had argued with perfect truth that by this Bill they were going to place the clergymen in a position in which they would be liable to have the terms of their communion altered without their individual consent. They were subject to that liability at the present time, under the authority of Parliament and of their ecclesiastical constitution. Under the Bill, however, a new ecclesiastical constitution would be created, and the argument of the hon. and learned Member was that they should not be made liable to the action of an ecclesiastical constitution without their own consent. Some time since, in answer to a question put by the right hon. and learned Member for the University o Dublin (Dr. Ball), he had stated that in the whole of the communications which he had had from the Irish clergy no desire had been expressed for the particu lar kind of protection proposed to be given by the hon. and learned Gentleman's clause, and that, therefore, in his opinion, the feeling of the House would be that it would be better not to disturb the action of the new Body by recognizing unnecessarily an element of dissent. The truth of that statement had since been modified by what had occurred. One single clergyman, whose attention had probably been drawn to the matter by the debate upon it, had written to him asking that some protection might be afforded the clergy against the possible intolerant action of the new Body. Under these circumstances, when the hon. and learned Member placed his clause upon the Paper, he had laid that clause before persons of the greatest authority, weight, and judgment in the Irish Church, and had invited their judgment upon it. The effect of the hon. and learned Member's clause, in the opinion of the Bill, was to allow persons to join the new Body, to take part in its proceedings, to make laws binding upon others, and then to dissent from those laws themselves, and to agree to some laws and to reject others. There might be 100 clergymen, each dissenting from 100 different parts of new regulations relating to articles, doctrines, and formularies, so that there would be a different state of the law for every clergyman in the disestablished Church. This would be to carry the principle of anarchy and confusion into the new Church: *toties quoties*, a man might be able to obey and disobey, to assent and dissent. This, it appeared to him, would be a principle of anarchy in practice. He could understand that an existing clergyman might take part in the general action that would be binding upon all those who should become clergymen after the passing of this Act, and yet that he was to be at liberty not simply to retire and withdraw, but to remain, and yet dissent, from particular acts of the Body. It now appeared to him quite plain that some small portion of the Irish clergy were anxious that they should have some protection against a possible spirit of intolerance that might prevail in the disestablished Body; and, therefore, in his opinion, those who wished to do so should be permitted to sever themselves from that Body, and to give them such security for their pecuniary rights as Parliament might think just. Some persons had suggested that the dissentients should be allowed to go on receiving a proportion of the commutation money of their annuities, while others had proposed that they should receive the whole of their annuities. Upon that point he was indifferent as long as some clear, definite, and intelligible principle were adopted. The question was not one between the State and the Church, but between the Church and its own clergy, and therefore, in no way, involved the principle of the Bill. Having submitted the clause of the hon. and learned Member to the consideration of those whom he believed to have most weight and authority in the Irish Church, he had been informed that the general opinion was adverse to it. They were of opinion that some provision should be inserted in the Bill, but that it should be of a nature to enable those who desired it to discharge themselves of their own obligations, while, at the same time, they were to have sufficient security for their pecuniary interests. Undoubtedly that was the opinion held by persons of weight and authority, and who, he felt bound to say, had been objecting parties to the Bill from the first. In the teeth of such an opinion, it was not possible for him to agree to the clause proposed by his hon. and learned Friend. On the other hand, if there was a general opinion among the body of the clergy that such a clause should be adopted it was no part of the duty of the Government to oppose it. The question raised by the clause was not one of disestablishment or disendowment. The conclusion to which they arrived was this—that there was another branch of the Legislature in which the Church was far more fully represented, in which there were Irish Prelates whose own interests were involved in the clause; and probably the ultimate form of any provision to be framed would be more satisfactorily considered there than in this House. At the same time he did not decline to entertain the question in the House of Commons if it was expedient to entertain it there. He spoke in the presence of hon. Gentlemen opposite—and he alluded more particularly to the right hon. and learned Gentleman the Member for the University of Dublin—who, he believed, were of the same opinion as he was, that the question was not ripe for decision in that House. He could not therefore accept the clause of his hon. and learned Friend.

Mr. NEWDEGATE said, the Prime Minister had accused the hon. and learned Member for Richmond of attempting to introduce an element of confusion into the future Church Body. He wished to call attention to the postulate which the right hon. Gentleman was obliged to assume in order to maintain that proposition. It was that the laity had no concern in the effects of this measure. Now, the terms on which the clergy held their freeholds and their salaries as curates were that they should abide by the discipline and teach the doctrines of what was at present the United Church of England and Ireland. By these obligations they were bound by the law, as it now stands. These obligations were enforced by law upon the clergy for the protection of the laity from the inculcation of unsound doctrine by the clergy. The refusal of the right hon. Gentleman to entertain the proposal of the hon. and learned Member for Richmond was equivalent to a declaration that no legal security was to be given to the laity of the Irish Church that the clergy who enjoy the benefices of that Church—or if this Bill pass, the clergy retaining their position for life—should not hereafter depart from the doctrines and discipline of the Church. The postulate of the argument of the right hon. Gentleman was not one recognized by the Church of England, but it was one on which the Church of Rome relied, because in the Church of Rome the clergy governed the laity, while in the United Church of England and Ireland the clergy and laity were considered equal, in their relative positions, as members of the Church, and were relatively bound by the same laws. Nothing could more forcibly illustrate the disorganizing character of this Bill than the refusal of the right hon. Gentleman to accept the clause of the hon. and learned Member for Richmond. It indicated that the Church was going to be made over to a Body, of whom it was hoped that they would depart from the doctrines held by her at the present time. It might be right to give a new Church entire freedom; but they were not dealing with a new Church. They were dealing with a Church whose clergy by their ordination vows were bound to the doctrines of the United Church of England and Ireland. Compensation was to be given to that clergy, and therefore he thought that the refusal of the Government to agree to the clause proposed by the hon. and learned Gentleman afforded the strongest evidence that the intention of the framers of this Bill was not only to disestablish and disendow, but also to disorganize the Irish Church.

Dr. BALL said, that before coming down to the House to-day, he had had an opportunity of learning the opinions of persons of the highest authority, and it was in favour of the clause proposed by the hon. and learned Member for Richmond (Sir Roundell Palmer). Since he came down the right hon. Gentleman at the head of the Government had communicated to him the opinions which he had received, and he felt bound to say that they were those of persons of the greatest authority. This showed that on the question of the clause there was a difference of opinion among persons of the greatest weight. His own opinion was that the laity would be perfectly safe without this clause; but as the incomes paid to the clergy were paid to them for the benefit of the laity, he thought that in this case each member of the Church was entitled to say *non hæc in fœdera veni*, and to ask that the Church Body might be afforded the protection which the clause would give them. There was, however, a good deal of force in what had been said by the right hon. Gentleman (Mr. Gladstone) in reference to the clause being discussed and considered in "another place," where great experience and knowledge could be brought to bear upon it; but for himself he must say that if there were a division he must, in deference to those with whom he had conferred, vote for the clause.

Mr. BAGWELL thought the less this Bill interfered with the future government of the Church Body the better. He did not agree in the opinion that this question should be left to the decision of the right rev. Prelates in "another place." The Church of Ireland was in a very different position to that of Scotland, and his opinion was that the more they were permitted to settle their own matters the easier it would be to carry out their intention of disestablishing and disendowing the Irish Church without injury to the Protestant faith. Let there not be a new Church with old laws. The right hon. Gentleman had said that the laity was not concerned. [Mr. Gladstone: Except as part of the general body of the Church.] He had, however, very great doubts whether they would be able to form a Church Governing Body at all; and, if they did, he should be still more surprised if they did not fight over every point that was under their consideration.

Mr. GATHORNE HARDY said, he did not think that the hon. Member (Mr. Bagwell) had solved the difficulty, for if no Governing Body were got together it could not matter whether the clause were passed or not. Agreeing as he did with his hon. and learned Friend the Member for Richmond as to the necessity for securing a provision for the clergy of the Irish Church, and strongly desiring that the present articles, doctrines, and formularies of the Church should be regarded as binding on the Church in its new condition; still, he felt considerable difficulty about this clause, because it appeared to him to go to rather an extreme length, and because it might possibly give rise to difficulty where none would otherwise exist. The use of the word "formularies," which might, for instance, embrace alterations in the Prayer Book, might possibly afford an opportunity to some persons to avail themselves of the provisions of this clause in a manner which was not intended by his hon. and learned Friend and those who agreed with him. He was, however, rather inclined to ask his hon. and learned Friend to assent to the course which had been suggested, and to allow the clause to be dealt with by the right rev. Prelates, when the Bill came before them for their consideration.

Mr. HENLEY remarked, that the compensation which, under the 14th clause, was to be given to the clergymen of the Irish Church was intended, as he understood the Bill, to continue as long as they performed the duties at present intrusted to them. If the clergy had not sufficient protection in this direction, he should be glad to assent to anything which would tend to give security to their position; but he could not help thinking that this clause would also open the door to those clergymen, who felt disposed to do so, to retain their money and do the duty of another Church. Though desirous that the clergy should be protected from any attempts to force religious changes upon them, he should feel safer with the 14th clause as it stood than with the clause now under discussion.

Mr. BRUEN thought there could be no mistake in supposing that the duties they would have to perform would be to teach according to the doctrines and formularies of the Church of England. There was a discrepancy between the 14th and 20th clauses, which could only be explained by some such clause as that moved by the hon. and learned Member for Richmond.

Sir ROUNDELL PALMER thought, that after the opinions which had been expressed on both sides of the House, it would be wrong in him to do otherwise than defer to the suggestions which had been made, and to allow the matter to be considered after the Bill had passed through this House. He must, however, express his surprise at finding a man, of the great acuteness which his right hon. Friend opposite (Mr. Henley) possessed, so misunderstanding the clause and its connection with the Bill. If his right hon. Friend had read the clause in conjunction with Clause 20 of the Bill, he would not have made the observations which had fallen from him.

Motion and clause, by leave, *withdrawn.*

Dr. BALL rose to move the following clause:—

> (Benefices of Saint Mary, Saint Thomas, and Saint George, Dublin).
>
> "The Commissioners shall ascertain whether the Prebendaries of Christ Church, Dublin, are entitled to any right of succession in the benefices of Saint Mary, Saint Thomas, and Saint George, Dublin, and if so, shall award to them respectively such sum in compensation for the same as shall seem to them just."

The Chancellor of Christ Church had a right of presenting himself to a benefice in the county of Kildare, and the three prebendaries had the right of presenting to the benefices mentioned in the clause. That would not at first sight appear strictly to resolve itself into a right of succession, but they invariably exercised these rights of patronage in their own favour, and there was not, he believed, a single instance on record of their having conferred the benefices upon any but themselves. The three Commissioners who had been appointed were persons in whom the House might have perfect confidence, and this was a matter that the House might safely leave to their discretion and judgment.

Mr. GLADSTONE accepted the clause, and suggested the amendment of it by the insertion of words to make it read, "are or are not entitled" and "if so entitled." He said there might be a risk of doing injustice if they were to settle the matter, and he wished to hand it over to the Commissioners without prejudice.

Clause, as amended, *added* to the Bill.

Dr. BALL *moved*, after Clause 82, to insert the following new Clause :—

(Commissioners may purchase surrender or assignment of lease).

"The Commissioners may, in order to the commutation of tithe rent-charge, purchase the surrender or assignment of any subsisting lease of tithe rent-charge made by an ecclesiastical person or corporation."

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan) said, the clause was a proper one, and there was no objection to it.

Clause *added* to the Bill.

Dr. BALL moved the following new Clause :—

(Compensation to trustees of Armagh Observatory).

"Whereas the trustees of the Observatory at Armagh hold a lease of the rectorial tithes of the parish of Carlingford, customarily renewable by the see of Armagh, and under the provisions of this Bill such lease will cease to be renewable, and the aforesaid scientific institution be deprived of a portion of the annual income available for its support, it is hereby provided that the Commissioners shall pay to the trustees of the said institution such sum as shall appear to them a fair compensation for the loss of the said customary right of renewal."

The right hon. and learned Gentleman said, that the Armagh Observatory was a distinguished astronomical institution, and was one of private foundation. All the Archbishops, following the example of Dr. Robinson, had renewed the lease it held of certain tithes without any fine. Under the Bill the Commissioners would have no power of renewing that lease, and all he asked was that the Commissioners might be enabled to give such a sum as they thought fit in lieu of the customary right of having the lease renewed without fine.

Clause (Compensation to trustees of Armagh Observatory,) — (*Dr. Ball,*)— *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."—(*Dr. Ball.*)

Dr. Ball

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan), admitting the fame of the observatory, regretted that it was impossible for the Government to accede to the proposal. The trustees of the observatory could not be dealt with otherwise than as trustees of Church property; and, if compensation were given to them on the principle contained in this clause, it would be hard to say why it should not be given to every tenant holding under any see in Ireland. To carry out the clause would almost amount to the dreadful act of sacrilege. If the observatory suffered any pecuniary loss, that might be a good ground for claiming for it a grant from the Government as for a scientific institution. To do it by this Bill would be foreign to its purpose and contrary to its principle, and for these reasons the Government regretted that they could not accept the clause.

Dr. BALL hoped the right hon. Gentleman at the head of the Government and the Chancellor of the Exchequer would bear in mind this suggestion, in case the observatory should hereafter make application for a grant of public money.

Motion and Clause, by leave, *withdrawn.*

Sir ROUNDELL PALMER rose to propose the omission, from the 10th line of the Preamble, of the words "nor for the teaching of religion." He said he could quite understand that those words had been put in the Preamble for good reasons. The Members of the Government had given certain pledges to the House and the country as to the principles on which the Bill was to be framed, and it was very natural and perfectly justifiable that they should put on the face of the Bill and in the Preamble the strongest possible expressions, to show that they intended to adhere strictly to the engagement which they had given, which, indeed, they had done. But these words grated strongly upon his feelings, and he could not help thinking they must grate on the feelings of many others. The peculiar circumstances of Ireland might be such that it might not be desirable to apply the surplus funds for the maintenance of any Church or clergy; but it was certainly not necessary for any practical purpose to declare that the funds should not be used to teach religion, as if that were a thing bad in itself. His objection might be considered a sentimental one. They had heard a good deal about sentiment during the discussion on the Bill; and it had been justly regarded as a matter, which might sometimes have substantial weight and important consequences. But if the Government did not agree to the omission of the words he would not ask the House to divide.

Amendment proposed, in page 1, line 10, to leave out the words "nor for the teaching of religion." — (*Sir Roundell Palmer.*)

SIR FREDERICK W. HEYGATE said, he hoped the Government would assent to the proposal; it would be more consistent to do so because, funds having been given to the Presbyterian Church and the College of Maynooth, it could not be said the funds were not devoted to the teaching of religion.

MR. CHICHESTER FORTESCUE said, he had the deepest possible respect, in common with those sitting round him, for the hon. and learned Member, and the views he had expressed; but he confessed the reasons given for the alteration proposed were not satisfactory. Those reasons appeared to amount to a declaration that the omission would mean nothing; but it would be scarcely possible to make that omission without at least the appearance of a change of intention. As they had framed the Bill—not, of course, without many painful sacrifices made under a sense of duty—in consequence of a well-defined intention, and as that intention had not been changed, it would be impossible to omit the words "nor for the teaching of religion" from the Preamble.

MR. G. GREGORY supported the Motion, on the ground that the clause under which the money could be given to reformatory and industrial school, sconnected with conventual or monastic institutions, was inconsistent with the Preamble.

MR. GLADSTONE said, that the words of the Preamble afforded a part of the assurance given to the country, and it was necessary to complete that assurance. The state of the House showed that hon. Members evidently did not expect a division would be taken on the question, nor that it would be seriously pressed.

MR. SCOURFIELD objected to any conclusion being drawn from the state of the House, and complained that the Bill ignored all religion whatever in Ireland. He must, therefore, protest against it.

MR. BREWER observed on the point of consistency that, although the giving of compensation might incidentally result in the teaching of religion, the Bill itself made no direct provisions to that end.

Question, "That those words stand part of the Bill," put, and *agreed to.*

MR. O'NEILL desired to limit the power of the Commissioners to some extent. At present they were arbitrary, and far greater than the powers given to any body of men in times of quiet. The Commissioners would stand in the double relation of litigant and judge—an invidious position, and unsatisfactory to those who came before them, and there would be no appeal from their decision. He hoped the House would be of opinion that this power of deciding without appeal was too large to be given to any persons, no matter how great their ability or high their character. The object of the House and of the Bill was to provide a tribunal which should command the full and entire confidence of those who might come before it, and it was with that view he wished to submit the Amendments which he had put on the Paper.

Amendment proposed, in page 3, line 7, to leave out the word "whatsoever." —(*Mr. O'Neill.*)

Question proposed, "That the word 'whatsoever' stand part of the Bill."

SIR FREDERICK W. HEYGATE supported the Amendment, believing that such powers ought not to be conferred on any body of men. The Commissioners were empowered to decide on all matters. Powers of appeal was given to the clergy and to private patrons, but no power of appeal was given to the laity. Questions might arise as to the amount of the tithe rent-charge and the boundaries of glebes and Church lands, and it would not be fair that such parties should have no appeal except to the Commissioners who had decided against them. Unless some appeal were given, as to matters of law and practice, great injustice might be done.

Sir ROUNDELL PALMER pointed out that the Amendments of the hon. Gentleman (Mr. O'Neill) were merely verbal, and would make no practical difference in the operation of the Bill. He did not think that anything would be gained by those who had any interest in the Church by giving facilities for the multiplication of litigation.

Dr. BALL concurred in the opinion of his hon. and learned Friend. If power of appeal were given it might induce the Commissioners to restrain their liberality, inasmuch as they would have before their eyes the possibility of an appeal to a court which would be bound by the strict rules of evidence, and might therefore cut down the compensation awarded by the Commisioners. In his opinion anyone who was entitled to compensation had a popular tribunal to appeal to.

Amendment, by leave, *withdrawn.*

Other Amendments made.

Sir ROUNDELL PALMER said, that Clause 10, as it stood at present, might have the effect of preventing the appointment of Archbishops and Bishops in the Disestablished Church, for the clause consisted of these sweeping words—

> "Save as herein-after mentioned, no person shall, after the passing of this Act, be appointed by Her Majesty or any other person or corporation to any archbishopric, bishopric, benefice, or cathedral preferment in or connected with the said Church."

The words "save as hereinafter mentioned" related to mere temporary appointments during the two years in which such appointments might be made. He thought the interpretation clause, so far as concerned the words "benefices and cathedral preferments," did not exclude all ambiguity with regard to the application even of those words; and, as the words "archbishopric" and "bishopric" were not interpreted at all, when they took those words in connection with the Ecclesiastical Titles Act, he apprehended there could be no doubt that the 10th clause at it stood would absolutely prohibit, after the temporary period, the appointment of any Archbishop or Bishop of the disestablished Church. That certainly was not the intention of the Government. For the purpose of preventing the clause having the effect of prohibiting such appointments, he would suggest that after the word "corporation," in the 10th clause, the following words be inserted:—"By virtue of any right of patronage or power of appointment now existing." That would comprehend every species of patronage, Royal or other, which might prevail, but would not extend to any which might exist under the new system of the Disestablished Church. Before concluding, perhaps the House would allow him to express an earnest hope, which he thought justified by the answer given a few days ago by his right hon. Friend the Prime Minister, that the Government would think it right under the circumstances in which the Established as well as the Roman Catholic Church would be placed by this Act, not only to support the Motion made by the hon. Member (Mr. Mac Evoy), to repeal the Ecclesiastical Titles Act, but to appoint an early day in the present Session, or to give other facilities for passing the hon. Member's Bill into law. He thought it would be most unsatisfactory to pass the present Bill, and at the same time to leave upon the statute book a measure like the Ecclesiastical Titles Act, to which he, for one, had always been opposed, and which had turned out as useless as it was predicted that it would prove. Unless that Act were repealed, the Disestablished Church would be prohibited by law from having any diocesan titles. The hon. and learned Gentleman concluded by moving the insertion of these words in Clause 10—"By virtue of any right of patronage or power of appointment now existing."

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan) said, he was glad to say the Amendment was one which the Government could accept. It really did carry out the intention which Her Majesty's Government originally entertained in framing the clause.

Dr. BALL said, he had originally called attention to the difficulty, but had felt himself unable to suggest words to overcome it, and therefore expressed his satisfaction at the proposal of the hon. and learned Member for Richmond, and at its adoption by the Government.

Mr. VANCE said, the hon. and learned Member for Richmond had recommended that, as a necessary consequence of the passing of the present Bill, the Ecclesiastical Titles Act should be repealed. But he would suggest that before they decided on the repeal of so important a measure they should wait and see that the present Bill actually became law.

Amendment *agreed to.*

MR. CHARLEY moved to insert in Clause 18, page 8, after the word "person," in line 6, the following words:—

"Who shall make application to them in writing to this effect, for or in respect of any rent-charge in lieu of tithes vested in or belonging to him as lay impropriator, and also the amount of compensation which ought to be paid to any person."

The hon. Gentleman said that he had put a Question to the right hon. Gentleman at the head of Her Majesty's Government respecting the mode in which he proposed to deal with the impropriate tithe rent-charge of Ireland. The right hon. Gentleman, in reply, said that there was a distinction between public and private property; but it must be remembered that the impropriate tithes were originally public property, quite as much as the tithes of the Church. Could anything be more anomalous than that these tithes, to which, if to any ecclesiastical property in Ireland, the Church of Rome could show a title, and which are not devoted to religious uses, as the donors intended, should continue to be paid to laymen, while the Church tithes which, or the greater part of which, never belonged to the Church of Rome, and which are devoted, as the donors intended, to religious uses, should be merged in the land? The very name of this property suggested the mode in which it originated. First, when the grasping monks seized upon the property of the Church, paying a vicar a miserable pittance for performing the spiritual duties. Secondly, when a grasping King seized upon the property of the grasping monks, and lavished it upon his equally grasping lay favourites. The Duke of Devonshire, the Earl of Cork and other Whig Peers, stood in the shoes of those lay favourites at the present day. The impropriate tithe rent-charge, he believed, of twenty-six parishes belonged to the Duke of Devonshire, and of fifteen parishes to the Earl of Cork. It was, of course, impossible for him to say whether the fact that this impropriate tithe rent-charge was not dealt with in the Bill was owing to the circumstance that the Duke of Devonshire had exerted himself to secure the large majority at the back of the right hon. Gentleman. The house of Cavendish had certainly assisted as much as any noble family in the country to bring about the state of things at present existing. And it was to the fact that the Duke of Devonshire had hounded on the cry against the Church, while drawing large revenues from these impropriate tithes, that the noble Lord the Postmaster General owed the loss of his seat in North Lancashire, and the necessity of finding a more congenial seat among the Welsh Calvinistic Methodists. It was not, however, for Gentlemen upon the Conservative side of the House, and especially for members of the Bar, like himself, to emulate the revolutionary policy of Gentlemen on the other side, and to raise a cry for dispossessing wealthy Whig Peers of their property; but something ought certainly to be done to remove the anomaly of tithes continuing to be payable to laymen after tithes payable to the Church have ceased to exist. This was, from the point of view of the right hon. Gentleman the First Lord of the Treasury, a relic of Protestant ascendancy, and he ought, therefore, to assist in removing it.

Amendment proposed,

In page 8, line 6, after the word "person," to insert the words "who shall make application to them in writing to this effect, for or in respect of any rent-charge in lieu of tithes vested in or belonging to him as lay impropriator, and also the amount of compensation which ought to be paid to any person."—(*Mr. Charley.*)

MR. GLADSTONE reminded the hon. Member that this was not a tithe Bill; it was a Bill for the disestablishment and disendowment of the Irish Church, consequently they could only deal with the tithes that were in the hands of the Church. Having taken possession of those tithes on the part of the State, it was for them to settle the process by which they should make them over to the landlord; but the hon. Member referred to the impropriate tithe rent-charge, which was wholly external to this Bill. The clause, after all, would not, if adopted, settle the question, for it only provided that the Commissioners should purchase from those willing to sell; and they might still have the country patched over with impropriate tithe rent-charge, even after the provision of the hon. Gentlemen was adopted. He would not say it was not a subject fit and proper to consider, but it was a question totally distinct from this Bill.

Question, "That those words be there inserted," put, and *negatived.*

Sir ROUNDELL PALMER moved to omit the words, in Clause 22, page 9, line 23, "but not further or otherwise," and insert "and to such further extent as Her Majesty shall think fit to authorize." Unless this Amendment were adopted Her Majesty would have no power under any circumstances to authorize the Church Body to hold lands other than those they would hold under the Bill, and they would, therefore, not be able to invest any savings they might effect in land.

Amendment proposed,

> In page 9, line 23, to leave out the words "but not further or otherwise," in order to insert the words "and to such further extent as Her Majesty shall think fit to authorise," — (*Sir Roundell Palmer,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. GLADSTONE said, the subject had been discussed upon a former occasion, and a vote had been taken upon the proposal of a right hon. and learned Gentleman opposite (Dr. Ball) to the effect that all restraint on the holding of land in mortmain by the Church Corporation should be removed. The division had then been taken on the Amendment; but the question really involved had been whether the House should or should not affirm the clause as it stood. They had then decided by a considerable majority, in a very full House, in favour of the clause, and he did not think they would, at present, be justified in reversing that decision. In looking forward to the future ecclesiastical position of Ireland, they had to contemplate a perfect equality of all bodies before the law. If power were given, as proposed by the Amendment, to acquire quantities of land, there might be hereafter a renewal of jealousies in Ireland, arising from the extensive holding of landed property by any religious community.

Sir ROUNDELL PALMER said, that after what the right hon. Gentleman had stated he would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. Gladstone

Dr. BALL moved, in Clause 23, page 10, line 5, after "made," insert—

> "But with power to the representative body of the said Church to make such arrangements in respect of the commuted value of the annuity with the annuitant, and as to the disposal of such portion thereof as shall after such arrangements be applicable to Church purposes, as shall to such body deem fit."

That Amendment would, he believed, only carry out the general object of the clause.

Amendment *agreed to.*

Mr. VANCE said, he thought there were very good reasons why some special provision should be made for the maintenance of some, at least, of the cathedrals throughout Ireland. Considerable sums had been expended either in completing them or repairing them by private individuals, and those persons would never have incurred that outlay if they had not been under the impression that ample funds would be available for the preservation of the buildings. The late Sir Benjamin Lee Guinness had expended upwards of £100,000 on St. Patrick's Cathedral in Dublin. A sum of £28,000 had been expended by the late Primate on the Armagh Cathedral, and a further sum of £7,000 raised for the purpose by private contributions. The cathedral of Down had been lately repaired at a cost of many thousands of pounds; the cathedral of Cork had been restored by means of an outlay of £25,000, the greater portion of which sum was derived from a fund left by a private individual; and in Kilmore, Kilkenny, Limerick, and other places, similar works had been undertaken. It was possible that in the great cities the necessary funds would be raised by private subscription for the maintenance of th cathedrals; but he believed that in th smaller towns those edifices, not being parish churches or having any peculia congregation, would fall into decay un less some special fund was provided fo their repair. The cathedrals must ne cessarily fall into ruins unless Parliamen did something, and he appealed to th sense of justice of the right hon. Ger tleman at the head of the Government t avert such a catastrophe taking place.

Amendment proposed,

> In page 11, line 16, after the word "therein to insert the words "The Commissioners may order declare what sum of money will be requir towards maintaining any cathedral in respect

which an application is made as aforesaid by the representative body of the said Church to the Commissioners, and which is of such a size as in the opinion of the Commissioners to make it beyond the means of the congregation which will probably use the same to maintain it in proper repair, and shall pay such sum to the representative body of the said Church, to be set apart by them, and applied for the purpose of maintaining the said cathedral: Provided, That the number of cathedrals towards the maintenance of which money may be contributed by the Commissioners as aforesaid shall not exceed twelve."—(*Mr. Vance.*)

MR. SCOURFIELD supported the Amendment of the hon. Member for Armagh. The Irish cathedrals had done much for the cultivation of Church music, and England was much indebted to them on that account. He understood that Handel's *Messiah* was first produced in Ireland.

THE ATTORNEY GENERAL FOR IRELAND (Mr. SULLIVAN) said, it was quite impossible that the Government could agree to this Amendment. The question had been decided in even a much stronger form on a division when the Bill was in Committee.

MR. BERESFORD HOPE said, the right hon. and learned Gentleman was mistaken in thinking that this was the same question as the one to which he had alluded as having been decided in Committee. What had been decided was that funds were not to be given to the Church Body to maintain certain of those cathedrals as "national monuments." Irish Churchmen objected to receive the money on those terms; because they thought, that if they accepted the wages of the State for maintaining those churches as national monuments, their possession of them might be hereafter imperilled. As an English Churchman he thanked them, but the proposition of his hon. Friend the Member for Armagh was not open to that objection.

Question, "That those words be there inserted," put, and *negatived.*

MR. STAPLETON moved, at the end of sub-section 1, Clause 26, to insert words authorizing the Church Body, at the option of representative body, to vest Church burial grounds in the Guardians of the Poor Law Union, within which the same shall be situate. The clause provided for the right of way for persons resorting to the church for Divine worship; that they should not permit funerals to take place during the usual times of Divine service in the church, and otherwise providing for existing interests.

Amendment *agreed to.*

SIR HERVEY BRUCE moved, in Clause 27, an Amendment, the object of which was to make over to the Church Body the glebe houses free of charge in cases in which there was no building debt upon them.

Amendment proposed, in page 13, line 4, to leave out from the word "say" to the word "where," in line 9.—(*Sir Hervey Bruce.*)

MR. GLADSTONE said, the Government adhered to the decision on this point arrived at in Committee by a large majority.

Question, "That the words proposed to be left out stand part of the Bill," put, and *agreed to.*

MR. GLADSTONE moved in page 14, line 34, after "expedient," to insert—

"And where any person proves to the satisfaction of the Commissioners that he has at his own cost recovered by legal proceedings for the benefit of the said Church any property which will remain at the disposal of the said Commissioners under the provisions of this Act, they may pay to him such sum in respect thereof as they may think fair and just, not exceeding in any case the value of the property so recovered."

Amendment *agreed to.*

DR. BALL moved to add to the clause words which will authorize the Commissioners to pay to any persons the costs *bonâ fide* incurred in proving a private endowment.

Amendment *agreed to.*

MR. M'MAHON complained that the Bill, as it at present stood, made no provision for the continuance of the salaries of the Professors and officials of Maynooth in case of illness or accident—a provision which was always secured in the case of Presbyterian ministers, and which, by an Amendment of the hon. and learned Member for Richmond, was made for the ministers of the Irish Church. The Trustees would feel themselves prohibited from doing more than what was strictly enjoined by law, while the College, with its diminished revenue, could not afford to be so liberal as it hitherto had been.

Amendment proposed,

In page 21, line 11, after the word "sum," to add the words "Provided always, That if any ot the present officials and Professors of the College of Maynooth shall be disabled from discharging his duty by age, sickness, or permanent infirmity, or any cause other than his own wilful default, he shall receive from the Trustees of the said College an annuity equal to the amount of his present salary."—(*Mr. M'Mahon.*)

Mr. GLADSTONE said, that in the communications which they had had with the authorities of Maynooth no demand of this kind had been put forward. The Government could not assent to the clause because it created rights which at present did not exist. An allowance of this kind was secured to the Presbyterian ministers by a regulation of their Church, and to the clergy of the Irish Church because they possessed a freehold, but to accept this clause would be to give the Professors of Maynooth an entirely new tenure.

Question, "That those words be there added," put, and *negatived.*

Mr. MAGNIAC contended that the terms on which by the 49th clause land was to be sold were too severe to allow the present holders in many cases to become the purchasers. He therefore moved the following clause, in which he had adopted almost *verbatim* the words employed in the tithe rent-charge clauses.

Amendment proposed,

In page 24, line 35, after the word "number," to add the words "and upon the application of any purchaser purchasing under the right of pre-emption as herein provided, any quantity of land not exceeding fifty acres of which he is the bonâ fide occupier, the Commissioners may declare his purchase-money, or any part thereof, to be payable by fifty-two annual instalments, each at the rate of four pounds nine shillings per centum of the purchase-money, to be secured to the satisfaction of the Commissioners."—(*Mr. Magniac.*)

Mr. GLADSTONE said, that to give a purchaser who purchased under the right of pre-emption a positive preference in pecuniary terms would be selling to him upon terms different from those in which they sold to anybody else. That was an exception which it would not be safe to adopt; and, above all, they could not accede to the Amendmendment because it required no deposit. They had required that one-fourth of the purchase money should be deposited, and it was going beyond the ordinary rules of mortgage to say that a man should become a purchaser by undertaking to pay small sums annually.

Question, "That those words be there added," put, and *negatived.*

Other Amendments made.

Mr. W. SHAW declared his intention not to persist in a Motion of which he had given notice. He had some doubts about there being a surplus; but if he saw any chance or mishap come to the Bill in "another place," he would take care that a better chance was given for the interests of the rate-payers in Ireland being looked after.

Mr. GLADSTONE said, that all the Amendments of which notice had been given having been disposed of, the House might wish to know the order of business in reference to the further progress of the Bill. It would be necessary to introduce a clause with respect to stamps upon vesting orders, and for that purpose there must be a limited re-commitment in the Friday after the Recess; and he proposed to take the Order for Recommitment for Friday, May 28, so that it would not interfere with the third reading on Monday, May 31.

Bill *re-committed* for *Friday* 28th May, in respect of a Clause for imposing a Stamp Duty on any Order of the Commissioners of Church Temporalities in Ireland operating as a Conveyance or Mortgage of Property.

Bill, as amended, to be *printed.* [Bill 123.]

WAYS AND MEANS—CUSTOMS AND EXCISE DUTIES.

COMMITTEE.

Considered in Committee.

(In the Committee.)

Re-committed Resolution relative to Customs Duties on Beer read, and amended, as follows:—

(1.) *Resolved,* That, in lieu of the Duties of Customs now chargeable on Beer and Ale, as denominated in the Tariff, on importation into Great Britain and Ireland, the following Duties shall be charged, viz.:

	£	s.	d.
Beer and Ale, viz.			
Mum, the barrel of 36 gallons	1	1	0
Spruce, the worts of which were before fermentation of a specific gravity not exceeding One Thousand One Hundred and Ninety Degrees, the barrel of 36 gallons	1	1	0
Exceeding One Thousand One Hundred and Ninety Degrees, the barrel of 36 gallons	1	4	0
Of other sorts, viz.:			
Beer, the worts of which were before fermentation of a specific gravity not exceeding One Thousand and Sixty-five Degrees, the barrel of 36 gallons	0	8	0

	£	s.	d.
Exceeding One Thousand and Sixty-five Degrees, and not exceeding One Thousand and Ninety Degrees, the barrel of 36 gallons	0	11	0
Exceeding One Thousand and Ninety Degrees, the barrel of 36 gallons	0	16	0

(2.) Motion made, and Question proposed,

"That towards raising the Supply granted to Her Majesty, there shall be granted, charged, levied, and paid on and after the 1st day of January 1870, in and throughout Great Britain the following Duties of Excise upon Licenses to be taken out annually by the Persons who shall employ any Male Servant, or who shall keep any Carriage, or Horse or Mule, or who shall wear or use any Armorial Bearings, or who shall exercise or carry on the Trade of a Horsedealer.

Male Servants.	£	s.	d.
For every Male Servant employed either wholly or partially in any of the following capacities, viz. Maître d'Hôtel, House Steward, Master of the Horse, Groom of the Chambers, Valet de Chambre, Butler, Under Butler, Clerk of the Kitchen, Confectioner, Cook, House Porter, Footman, Page, Waiter, Coachman, Groom, Postillion, Stable Boy or Helper in the Stables, Gardener, Under Gardener, Park Keeper, Game Keeper or Game Watcher, Huntsman and Whipper-in, or in any capacity involving the duties of any of the above descriptions of Servants by whatever style the person acting in such capacity may be called .	0	15	0
Carriages.			
For every Carriage drawn by a Horse or Mule, or by Horses or Mules (except a waggon, cart, or other vehicle used solely for the conveyance of any goods or burden in the course of trade or husbandry, and whereon the christian name and surname, and place of abode or place of business of the owner, shall be visibly and legibly painted),			
If such Carriage shall have four or more wheels, and shall be of the weight of Three Hundredweight or upwards	2	2	0
If such Carriage shall have less than four wheels, or having four or more wheels, shall be of less weight than Three Hundredweight .	0	15	0
Horses and Mules.			
For every Horse or Mule (including a Horse or Pony of any sex or description or age, but not including a Foal, Colt or Filly, or Mule which shall never have been used for any purpose of draught or riding) . . .	0	10	6
Armorial Bearings.			
For Armorial Bearings (including any Armorial Bearings, Crest, or Ensign, by whatever name the same shall be called)—			
If such Armorial Bearings shall be painted, marked, or affixed on or to any Carriage	2	2	0
If such Armorial Bearings shall be otherwise worn or used	1	1	0
Horsedealers.			
Every Horsedealer in Great Britain	12	10	0

MR. HUNT said, he had placed some Amendments to this Resolution on the Paper. They were apparently about trifling matters; but they affected the comfort and convenience of many persons in the country, and he therefore hoped the Committee would think them worth discussing. This Resolution carried out the proposition of the Chancellor of the Exchequer to substitute license duties in the case of articles which heretofore had been liable to assessed taxes, and he approved the principle of that substitution; but the question of the scale of duties that was to be adopted in the case of the new licenses was quite a different matter from the general principle. In some of the propositions he made the right hon. Gentleman sacrificed a great many people in order to have a simple and uniform system. No doubt a simple and uniform system was a great convenience to the tax-collector, but it did not follow that it would suit the tax-payer. The right hon. Gentleman was not the founder of the school of simplicity and uniformity, because it was instituted by a gentleman named Procrustes, who, if a bed was too short for a patient cut him shorter, and if it were too long stretched the patient. He had received a few letters from his own constituents, and a good many from different parts of the country, from persons of all politics, and they all concurred in describing the Budget in this part of it as a rich man's Budget and not a poor man's Budget. There was truth in this description, for, in order to have a uniform and simple system, the right hon. Gentleman had lowered the taxes which were paid by rich people upon their establishments, and he had raised the taxes paid by poorer people. Many illustrations had been sent to him, and he would give the Committee a comparative statement of the effect upon certain establishments in one of the Midland counties. The head of one large establishment paid, under the present system, £49; under the new system he would pay £32; so that he would save £17. The head of a still larger establishment was now taxed to the amount of £76, and would save £30. In a third instance the owner paid £51; he would have to pay £36; so that he would save £15. These were the establishments of noblemen and gentlemen; and he now came to the establishment of one who might be a tenant of a noblemen. In this establishment there were a servant under eighteen and a two-wheeled carriage and a horse; and the taxes now amounted to £1 16*s.*; but under the proposals of the right hon. Gentleman they would come to £2 0*s.* 6*d.*; so that the State would gain 4*s.* 6*d.* A country coal-dealer having one horse over thirteen hands and two ponies under thirteen was now taxed £1 1*s.*, but if the Chancellor of the Exchequer's proposition were adopted he would be taxed £1 11*s.* 6*d.* Such cases might be multiplied, for he had received numerous letters from country doctors and others, complaining that their richer neighbours were being relieved of taxation at their expense. It was rather hard that the coal-dealer and tradesman should have their taxes raised to enable the Chancellor of the Exchequer to reduce the duty on the saddle horses of rich men; and the Chancellor of the Exchequer should not presume upon the fact that there was not much chance of any great outcry being raised against the change. Pleasure horses formed a very fair subject for taxation, and there was no reason for reducing the taxation upon them; but taxes upon servants were altogether objectionable. They had been regarded as taxes on luxuries, but he would avoid them as taxes on the employment of people. The reduction in the taxes on carriages would be a relief to the carriage making trade. because people resorted to all manner of shifts at present in order to make one carriage serve the purpose of two, and thus save the tax. But there was no excuse for altering the duty on servants unless it were by way of clear remission. He thought it bad enough to tax skilled domestic labour; but the right hon. Gentleman proposed to raise the tax on unskilled domestic labour. This alteration in the duty would prevent persons from taking young persons into their establishments, and he might mention that he had more letters in reference to the difference of tax upon men and boy servants than upon any other thing. Now what was the amount of the gain of the Chancellor of the Exchequer by raising the tax from 10*s.* 6*d.* to 15*s.*? According to the Returns published last year there were 85,881 as to whom the tax was to be altered, and the addition of 4*s.* 6*d.* in each instance would produce £19,323. He believed that this increase of tax would tend to prevent boys being taken as servants in places where they might learn a business, and that it would be a hardship upon employers where they were so taken. He should be glad if the right hon. Gentleman could dispense with this £19,000 altogether; but if not, he hoped that at all events he would revert to the old tax of 10*s.* 6*d.*, instead of having the new one of 15*s.* In conclusion the right hon. Gentleman moved an Amendment to the Resolution, which would have the effect of preventing male servants under eighteen being taxed more than 10*s.* 6*d.* each.

Amendment proposed, in line 9, after the words "Male Servants," to insert the words "above eighteen years of age."—(*Mr. Hunt.*)

MR. ASSHETON CROSS said, he did not wish to detain the Committee, but the country had heard so much about economy, cheap breakfast tables, cheap newspapers, and cheap all sorts of things for workpeople, that he wished to call the Chancellor of the Exchequer's attention to the practical effect of his Budget, and the enormous decrease in the revenue he was making by remitting the taxes of the rich. The right hon. Gentleman was creating considerable dissatisfaction by proposing in this, the people's House, to sacrifice the poor for the benefit of the rich. A Return recently presented to the House on his Motion (*Parliamentary Paper* 161) showed the proposed remissions of taxation for the benefit of those who could well afford to be taxed was much larger than hon. Members had any notion of. The male servants on whom duty was paid last year numbered 274,000, and 173,000 of these being above eighteen brought £1 1*s.* each to the Exchequer. On these 173,000 there would be a loss of 6*s.* each, or £52,000. In the case of carriages, which were certainly luxuries, he found 32,000 having four wheels and two horses, upon which the proposed remission was £1 8*s.* each, or £45,000. The reduction on horses would result in a loss of £102,000; because there were 195,000 horses, and the tax upon them was reduced by 10*s.* 6*d.* each. On hair powder there was a clear loss of £1,000. The proposal respecting armorial bearings was a case of peculiar hardship, because the Chancellor of the Exchequer had claimed credit for procuring a gain to the Revenue by his changes. Every man who kept a carriage with four wheels and two horses obtained now a reduction on his taxes of 10*s.* 9*d.*, and that would bring a loss to the Revenue of £8,000, which would have to be made good out of the pockets of the poorer classes. Armorial bearings had been taken to mean any sign or device which a person happened to wear, whether on a seal or otherwise; and for these he had to pay a tax of 13*s.* 2*d.* Now, adding up all the items, it appeared that there was a total of £207,000 a year remission of the taxation falling on the richer classes in regard to assessed taxes. But these classes were well able to pay, they had made no complaint, nor had they grumbled. He was quite aware it might be said that, as far as servants were concerned, many persons not wealthy — some professional men for instance — paid their £1 1*s.* for a man-servant. Well, he was willing to make the necessary allowance for that in his calculation; but he found by the Returns that of all those who kept men-servants there were only 144,000 with one. That would yield about half the amount, and deducting on that head £26,000, there remained a clear remission of taxation upon the rich, who were well able to pay, of £181,000 by this Budget. He did not think many of his constituents would be gratified at that, which was a different state of things from what the Prime Minister, when among them, had led them to expect.

MR. STAPLETON wished to draw attention to what he believed to be a slight imperfection in the otherwise admirable Budget of the Chancellor of the Exchequer — he meant the increase of small sums and odd figures. It had been observed by several persons that the Chancellor of the Exchequer in his Budget Speech spoke of guineas and half-guineas, though such sums had long ceased to exist either as coins or as figures of account. The duty on horses was to be 10*s.* 6*d.*; the duty on armorial bearings £1 1*s.* or £2 2*s.* In this case an odd sum, 13*s.* 2*d.*, was got rid of, but another was introduced. In the duty on carriages the £1 1*s.* was introduced where there were only decimal figures before. At present the tax upon carriages drawn by two horses was £3 10*s.*; by one horse, £2; by two ponies, £1 15*s.*; by one pony, £1, and so on. The Committee would observe that these were round numbers. But his right hon. Friend was putting the tax upon a carriage drawn by a single horse at £2 2*s.* A rich man, who could afford to keep two horses and pay for them, would have a saving of £1 8*s.*, whilst the poor man, who only put one horse to his carriage, would pay 2*s.* more than he did before. What he wished to impress upon the Committee was that these odd shillings did not in their net result bring into the Exchequer as much by a great deal as they took out of the pocket of the tax-payer. It cost as much to carry 6*d.* or 1*s.* through an account as to carry £1. There were many things that showed that this doctrine was very well understood by the Exchequer. For instance, the clerks' salaries were now paid monthly, but when there were odd shillings or pence they were retained and allowed to accumulate until at last they were paid once for all in order to avoid the expense which would otherwise result from keeping the accounts; and the Secretary for War had declined altogether to pay the officers of the army on the retired half-pay list monthly instead of annually on account of the expense by employment of extra clerks. But the strongest point was this, that the Exchequer would not now receive odd sums at all from the accounting departments. All payments made by them into the Exchequer were made in thousands. He understood that since this rule had been established there had been, along with great simplicity, very great economy in keeping the Exchequer accounts. He hoped his right hon. Friend would consider this matter, and if in another year he made another step in Administrative Reform, he would strike off these odd shillings and sixpences which had this great characteristic of bad taxes, that they did not in their net result enrich the Exchequer in anything like the same proportion in which they impoverished the tax-payers.

Mr. BARROW thought the taxation of servants under eighteen most objectionable, not so much in the interest of the tax-payers as of the labouring man, whose eldest boy was often taken off his hands and employed from fourteen to eighteen.

Mr. RYLANDS said, his hon. Friend the Member for South-west Lancashire (Mr. A. Cross) had characterized the Budget as being a rich man's Budget and not a poor man's, and had stated that it was viewed with dissatisfaction by his constituents. As he happened to be a constituent of the hon. Gentleman, he begged entirely to dissent from his statements. He did not gather from his hon. Friend whether he was supporting the Amendment of the right hon. Gentleman opposite (Mr. Hunt), but presumed he was, and in that case his views were entirely inconsistent with the object of the Amendment. The Amendment, if carried, would exempt from taxation all male servants under eighteen years old, and to that extent would clearly be to the advantage of the rich rather than the poor. He entirely dissented from his hon. Friend's remarks respecting the Budget. When the Committee recollected that the abolition of the 1*s*. import duty on corn amounted to £900,000 a year, and that that import duty necessarily raised the average price of all the corn grown in this country, it must be evident that the advantage to the working classes from the Budget would be very much greater than to those who were in a better position in life. Nor was the reduction of the taxes then under discussion exclusively for the benefit of the wealthier classes. The reduction of the tax upon servants would have a tendency to increase the employment of servants; and that upon carriages would lead to a greater use of carriages, and in consequence to a greater employment of labour in the manufacture of carriages. So far as he had the means of ascertaining the opinions of the constituents of the hon. Gentleman in South-west Lancashire, they were decidedly in favour of the Budget of the Chancellor of the Exchequer.

Mr. MUNTZ said, that puppies were always puppies, and men-servants never got beyond eighteen years of age. He had seen men with grey hairs set down as eighteen. Would it not be better, therefore, to leave out eighteen altogether? He had found that there was a general objection not only to this but to all other kind of taxes. It was pleasant to hear an English Chancellor of the Exchequer recommending economy; and, when they came to one item in the Estimate he should give the right hon. Gentleman opposite (Mr. Hunt) an opportunity of showing that he was sincere.

Mr. STANSFELD said, the assessed taxes, which they were considering that night, and in lieu of which his right hon. Friend (the Chancellor of the Exchequer) had proposed a system of license duties, affected a considerable number of the population. They fell upon their households, they came home to their consciousness and their intimate knowledge, and it was therefore not unnatural, considering the position which the right hon. gentleman occupied in the late Administration, that he should have received many communications on the subject of that part of the Budget. The right hon. Gentleman (Mr. Hunt) had made two remarks on the Budget of his right hon. Friend. He said that its policy of uniformity justified him in giving it the name of a Procrustean Budget, and he called it in the second place a rich man's Budget. Well, there was some amount of truth—and he would endeavour to show how much—in the first of those assertions; but to the second he believed there was a complete and unanswerable reply. It was perfectly true that the idea of his right hon. Friend in proposing to abolish the system of assessed taxes and to substitute for it a system of licenses was an idea of the benefit, with reference to the ease of collection and to the probable profitableness of the tax, of the substitution of a system of licenses founded on a principle of uniformity for the assessed taxes, various and uncertain in their incidence as they had proved themselves to be. Now, the right hon. Gentleman would understand that if, *per se*, something like simplicity and uniformity in a tax was to some extent to be admitted as an advantage, in this case the advantage was enhanced if they arrived at the conclusion that it was admissible to substitute a system of licenses for one of assessed taxes, because in the case of assessed taxes they taxed a man on articles which he had in his possession, and which he had used under certain varying conditions that affected the amount of the tax which they were to charge him during the past year. But if, in place of that, they adopted a system of licenses, they dealt not with the past but with the future. They called upon the man at the beginning of the year to inform them, by a Return, of the number of articles, whether servants, horses, or carriages, which he intended to keep, and they required him to pay a license for them; and therefore it was extremely desirable, in order to facilitate the making of that Return, that they should simplify the incidence of that taxation, and render it as uniform as they could. There was that amount of truth in the statement of the right hon. Gentleman that something had been sacrificed for the sake of uniformity. But it would be impossible to simplify and render uniform those taxes, or in any respect to change their incidence, without some cases occurring, and without some communications being made to hon. or right hon. Gentlemen, showing that some of those who paid those taxes before were likely to pay more than their neighbours in future. Now, if they entered into the comparative fairness of that Budget, and the existing state of things, at least they ought to look at the Budget as a whole; or at the very least they ought to look at the part of the Budget they were then discussing as a whole. But the right hon. Gentleman had not taken that course. He spoke of the saving to the rich man possessing many horses and carriages; and the hon. Member for South-west Lancashire (Mr. Cross) spoke in the same strain, comparing the rich man's case with that of those who had few horses and carriages. But all reference had been omitted to certain figures which were conclusive on that subject, showing that not only if they took the Budget as a whole, but if they took the particular part of it effecting the transformation of assessed taxes into license duties, so far from being a rich man's Budget, it consulted the convenience of the pocket of the greater number who possessed limited means. If they took the assessed taxes proposed to be remitted, they were £1,167,000; while the license duty imposed amounted to £1,113,000. The difference between the two sums was only about £50,000; but if, travelling a little further, they went on to the repeal of the post horse duty, the stage carriage duty, and the hackney carriage duty, they would find that there was a remission of no less than £293,000, affecting the convenience and relieving the expenditure of persons of limited means. Therefore, his right hon. Friend was not open to the criticism that that was a rich man's Budget. The right hon. Gentleman by his Amendment proposed that there should be no tax on male servants under eighteen years of age. Now, he thought the insight into the operation of the present law afforded to the Committee by the hon. Member for Birmingham (Mr. Muntz) was in itself almost a sufficient answer to that suggestion, and a proof of the wisdom of his right hon. Friend in adhering to his notion of uniformity and simplicity of taxation. The natural alternative to the proposal of the right hon. Gentleman opposite not to tax male servants under eighteen would be to leave the tax upon male servants above that age at £1 1*s.* and keep it at 10*s.* 6*d.* for those under that age. The Budget of his right hon. Friend, for the sake of uniformity and simplicity, proposed to halve the difference, and charge 15*s.* for male servants all round.

MR. SCLATER-BOOTH said, he was the last person who would object to the substitution of a system of licenses for assessed taxes, and he did not believe that anything had fallen from his right hon. Friend which warranted the inference that his right hon. Friend objected to such a principle. It was, however, an undoubted fact that the proposed remission of the assessed taxes would be a boon to the wealthier class, and would produce a considerable net saving to them in respect to taxation. But he could not agree with the hon. Member for South-west Lancashire (Mr. Cross) when he referred to the case of the carriage duty as illustrative of his argument. He had always been of opinion that the assessed tax on carriages operated as a very considerable restriction on that trade of the country, and that any great reduction of the tax would give a stimulus to the coach-making business, inasmuch as many gentlemen of large fortune would keep an increased number of carriages when they were no longer taxed as they had been heretofore, almost to a prohibitory extent upon that head. He, therefore, cordially approved that part of the Budget. The right hon. Gentleman said the other day that he would make no change in the incidence of those taxes, and would impose no new tax on servants. He (Mr. Sclater-Booth) would call his attention to a word which had been introduced into the Resolution—namely, "game watcher," in the place of the word "gamekeeper" formerly used. He would suggest the omission of that word, and with respect to the Amendment of his right hon. Friend (Mr. Hunt), he must say that he thought the remission of the tax on servants under eighteen would be a great boon to the working classes.

Mr. GREENE said, he was not inclined to quarrel with the Chancellor of the Exchequer for taking off some of the duty on his horses; but he would impress on him the importance of that matter, as it affected the training of young servants. All who were acquainted with the training of boys in stables knew how frequently a boy was taken at nominal wages merely to learn his business; and it was not improbable that, if employers had to pay a tax on them they would refuse to be bothered with those boys.

Mr. HENLEY said, he agreed with the description of the tax as given by the hon. Gentleman the Member for South-west Lancashire (Mr. Cross), and he (Mr. Henley) having calculated its operation with regard to his payments he found he should save 25 per cent by the proposed change. Personally he should be disposed to take his hat off to the Chancellor of the Exchequer, and thank him, and say he was a very pleasant fellow; but when he considered how it would act on persons in a lower position in life, and he found that it would increase their assessed taxes something like 100 per cent, it became rather a serious matter. It was hard that this increased amount of taxation should be put upon the class of persons to whom he referred. They were not the persons likely to be benefited by the reduction of the post horse duty and the hackney carriage duty, and he thought it was a matter well deserving the re-consideration of the Chancellor of the Exchequer. Having acted as an assessed tax commissioner, and knowing the trouble and difficulty of appealing against a surcharge, he wished to ask the Chancellor of the Exchequer what penalty a man would be liable to for not making a return, and taking out a license under the proposed new system?

Mr. ASSHETON CROSS said, that no persons were more glad than the Conservative Members that the 1*s.* duty had been taken off corn. His objection to the Budget applied simply to the conversion of assessed taxes into Excise licenses. That portion of the financial scheme of the Government would, beyond all doubt, have the effect of relieving the rich man and imposing an increased burden on persons who were comparatively poor.

Mr. READ said, he could not agree in the principle enunciated by the Chancellor of the Exchequer, by which the assessed taxes were to be converted into Excise licenses. It might be all very well to have uniformity, but it ought not to be adopted by putting a heavy pressure on the poor man, and by relieving the rich man. When the right hon. Gentleman the Member for North Northamptonshire (Mr. Hunt) introduced the principle of licenses he said, that in order to make the duty equal, they must put the tax at a reasonable figure, and he placed the dog duty at 5*s.*, whereas it had been previously 12*s.*; but here the Chancellor of the Exchequer inflicted a great hardship on the farmer or small trader, who kept a boy, by making him pay 15*s.* duty, instead of 10*s.* 6*d.* The imposition of the extra amount of duty would have a great effect in reducing the number of boys kept, and it would tend to discourage the training of youths. A rich man who now kept a carriage and pair of horses and one servant paid £6 13*s.*, but under the proposed Budget he would only have to pay £3 18*s.*; and if they added to it the advantage to be derived by the alteration of the armorial bearings tax the saving would be £3 5*s.* 9*d.*, or nearly 50 per cent. The poor man, however, who, for the purpose of his business, was obliged to employ a lad, and to keep a pony and cart of some sort or other, would have to pay £2 0*s.* 6*d.* under the new system, whereas he now had to pay only £1, or at the utmost, £1 10*s.* It was therefore essential there should be some kind of exemption. His right hon. Friend, when he introduced the dog license, made an exemption in favour of puppies, and it was to be hoped the Chancellor of the Exchequer would make an exemption in favour of the lads. Under the old system, the assessors acted on the principle that every man was considered honest until he was proved to be a rogue, but by the Excise a man would be considered a rogue until he had proved himself to be honest.

The CHANCELLOR of the EXCHEQUER, in reply to the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), wished to state that the penalty which would be imposed under the Act on anybody violating its provisions was £20. That penalty, however, would be sued for only when a person neglected to send in a declaration as to the taxable articles in his possession after a special notice had been served on him for the purpose. Then came in the General Excise Act, which permitted the magistrate adjudicating on the question of the penalty to be imposed to remit three-fourths of it, while the Commissioners of Inland Revenue would have the power to remit it altogether in such cases as they might deem proper. Practically, it would not be enforced, unless in those instances where it was shown there had been a wilful attempt to defraud the Revenue. In reply to the objection which had been urged by several hon. Gentlemen to the proposal of the Government to the effect that it would relieve the rich at the expense of the poor, he might observe that one danger which must be guarded against was that those assessed taxes might become such a nuisance that they would have to be swept away altogether. It was, therefore, of the utmost importance, if their permanency was to be secured, that they should be made as simple and as easy as possible, not only to the tax-gatherer, but to those by whom they were paid, while he thought it would be advantagous to the Revenue that they should be collected by way of license, instead of under the present system. The only way to attain that object was by uniformity and simplification; and in order to do that he was sorry to say it was necessary to take from the rich and add it to the poor. No doubt, that was the effect of the criticism of the Budget, and it was perfectly well founded. It had been said that the taxes ought to be apportioned at different prices for the same article; and so it ought, if they merely desired to tax each person fairly and equally one with another. But when they sought to establish uniformity, which was essential to the cheapening of the tax, it could only be done in the manner he proposed. If he had left the rich man heavier taxed than the poor man, uniformity could only be obtained by increasing the amount paid by the poor. The whole squabble was about 4*s.* 6*d.*, the difference between 15*s.* and 10*s.* 6*d.* It was not to be supposed that his plan benefited the rich exclusively; because its effect would be to give increased employment to the poor, and to add to the number of boys who would be kept as servants, and who did not become full-fledged servants all at once, but must learn their trade. He would much rather have attained his object in another way — namely, by leaving the rich heavily taxed, and lightening the burdens on the poor—and in other parts of the Budget he had endeavoured to do so; but as regarded the assessed taxes he could only attain uniformity in the way he proposed; and he trusted, therefore, the House would approve of the proposition.

Mr. HUNT said, he fully anticipated that the right hon. Gentleman the Chancellor of the Exchequer would endeavour to ridicule the difference of the tax on the ground that 4*s.* 6*d.* was a small amount; but if he was so well acquainted with persons in humble rank as he (Mr. Hunt) was he never would have made that observation. The effect of the tax would be that a farmer, instead of keeping a boy to attend to his nag horse, for which he would have to pay 10*s.* 6*d.*, and 15*s.* for the farm servant to look after the farm horses, would make the latter attend to both. That would be a very serious matter, not so much to the man who had to pay, but to the boy, who frequently got his first start in life by getting into such situations. He should take the sense of the Committee upon the point. The Third Lord of the Treasery denied that this was a rich man's budget, because he said the Committee must not look to these assessed taxes solely, but must remember the remission of the post horse duty and the hackney carriage duty. He doubted whether the remission of these duties would touch the class to whom the hon. Member referred. Then, it was said that the remission of the corn duty to the amount of £900,000 was in favour of the poor man; but he thought it would be found that if this amount were divided among the number of quartern loaves consumed in the country there was no coin in the realm that would denote the poor man's share. He believed that most people who kept a servant would much rather pocket that 4*s.* 6*d.* than have their share of the remission of the 1*s.* duty on corn.

MR. HIBBERT thought that the question for their consideration was not whether the Budget was a rich man's or a poor man's Budget, but how it affected the general interests of the country. He liked neither the proposal of the Government nor that of the right hon. Gentleman opposite (Mr. Hunt). He thought the tax on male servants was a bad tax, because he had always considered it a tax upon labour. He objected to the tax, either at 15*s.* or in the manner proposed by the right hon. Gentleman opposite. The objection might be met by reducing the tax on all male servants to 10*s.* 6*d.* He thought all exemptions bad in principle, and could not agree to exempt, as proposed, those under eighteen years of age. ["Move!"] He feared that as there was an Amendment before the Committee he should not be in Order to move another Amendment.

MR. HUNT said, that if the hon. Member voted for the Amendment now before the Committee he could afterwards move to reduce the amount to 10*s.* 6*d.*

Question put, "That those words be there inserted."

The Committee *divided:* — Ayes 71; Noes 150: Majority 79.

MR. CORRANCE rose to move an Amendment in the second Resolution in line 9, after "employed," to leave out "either wholly or partially." He did not mean to challenge the merits of the Budget; no doubt it was a very good one if they could understand it, and would be very popular if they had not to pay under it; but he wanted to know what did a watcher of game, "wholly or partially," mean.

Amendment proposed, in line 9, to leave out the words "wholly or partially."—(*Mr. Corrance.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Resolution."

Mr. Hunt

THE CHANCELLOR OF THE EXCHEQUER said, he had given a sort of pledge that there should be no alteration in the law in this respect. He would restore the word "under-gamekeeper" as it stood before.

MR. CORRANCE thought the words "wholly or partially" were a trap for tender consciences — possibly to catch those who sent five-pound notes to the Chancellor of the Exchequer. He wanted a precise definition of these words "wholly or partially" as well as of those upon whom they took effect. It was well known there were periods when employment both in town and country was scarce, and a great many were almost entirely dependant on casual jobs. If they were thrown out of employment they became pauperized, and—under the admirable operation of the Poor Laws—perhaps for life. He had no doubt these ambiguous terms in the Resolution were very convenient to the Chancellor of the Exchequer, but even his convenience must give way when placed in opposition to the social considerations involved. Let him define exactly what these words "wholly or partially" implied—if he employed a man for a week, a fortnight, or six weeks—let it be clearly understood what was the meaning of the words. He moved the omission of the words "wholly or partially."

MR. STANSFELD said, the object of the words "wholly or partially" was not to catch tender consciences. According to the Board of Inland Revenue and their legal advisers there was no criterion so exact and reliable in the imposition of these taxes as the existence of the relationship of master and servant. If the words "wholly or partially" were omitted a man might be employed as a servant on a contract of service in a combination of capacities, and the question might arise as to liability to taxation in this capacity. However difficult it might be to understand the exact line of demarcation between the employment of a person as a servant and employment as a hired labourer, the distinction was known to the Inland Revenue and to the law. The object of the Resolution was to make taxation depend on that distinction, and he knew no other definition or distinction which was so exact or reliable.

MR. BARROW said, he had no doubt the distinction was appreciated by the

Inland Revenue; but he had found it exceedingly difficult, as a Commissioner of Taxes, to decide whether a man was a servant or a hired labourer. He suggested that the matter would be greatly simplified, and the principle of uniformity kept up, if they omitted the tax on male servants and labourers altogether, and left the tax on horses and carriages pretty nearly at its present amount. It would be better to get rid of a tax on servants subject to so much distinction, and to retain it at its present amount on such undoubted luxuries as horses and carriages.

MR. REBOW begged to state that he had occasion to bring this matter before the Board of Inland Revenue, and he found that "under-gardener" meant a foreman under the head-gardener.

MR. BARNETT wished to know whether the Chancellor of the Exchequer endorsed that interpretation. If he did it would be a great relief to many people who had to employ men in their gardens.

THE CHANCELLOR OF THE EXCHEQUER said, he apprehended that an under-gardener was a gardener working under the direction of another gardener. However, the definition given by the hon. Gentleman behind him (Mr. Rebow) was perfectly correct.

MR. HUNT hoped that whatever definition the House might adopt of an under-gardener would be plainly set forth in the Bill. According to the right hon. Gentleman's definition a man employed simply to dig potatoes in a garden was an under-gardener.

THE CHANCELLOR OF THE EXCHEQUER said, he had not said so. An under-gardener was a skilled labourer, employed under the direction of another gardener; and an unskilled labourer employed in a garden was not an under-gardener.

MR. HUNT remarked that all he wanted was to have that definition put into the Bill.

SIR HENRY HOARE wished to know what was the right hon. Gentleman's definition of a "game watcher;" and whether "mole catchers" and "rabbiters," employed under the direction of a head-keeper, were under-keepers?

THE CHANCELLOR OF THE EXCHEQUER: That is withdrawn.

GENERAL PERCY HERBERT was disposed to move the omission of the words "under-gardener," as a great number of persons acting in that capacity were but labourers.

MR. HENLEY understood the Chancellor of the Exchequor to say that an unskilled labourer working in a garden was not an under-gardener, and he wished to know whether the right hon. Gentleman would introduce words to make the matter clear, as the construction hitherto acted upon was not in accordance with that liberal view.

THE CHANCELLOR OF THE EXCHEQUER said, the principle of these assessed taxes was based on the distinction between service and labour. "Service" was the employment of a person with some skill or dexterity—not merely ordinary work. It was not a question of the amount of wages or of the time when they were paid, it was what a person was employed for. He could not pledge himself as to what words would be introduced into the Bill.

COLONEL BARTTELOT asked whether a person who called a man from his farm to take a pony out of his carriage would have to pay for that man as a helper in the stables?

MR. STANSFELD said, these questions could be considered when the Bill was in Committee. He thought that it was unnecessary at the present stage to carry the discussion any farther. The whole of the Resolution was governed by the leading words "every male servant employed." No one could be charged for who was not a servant.

SIR STAFFORD NORTHCOTE also thought they had better not waste time in discussing these matters, as the collection of these taxes was to be placed in the hands of the Inland Revenue, and as one uniform system throughout the country would thereby be secured instead of a variable one, differing according to the opinions of different local authorities, he would suggest that when the resolutions became law the Inland Revenue Department should issue instructions explaining distinctly on what principle these taxes would be levied.

MR. READ said, there ought to be some limit as to age, for it was not right that the boy who blacked one's shoes should be charged at the same rate as the most gorgeous flunkey.

MR. HENLEY hoped the right hon. Gentleman would see that the various definitions were made clearly, so that there should be no difficulty in the construction of the law. It should be made so clear that no one should be brought before the magistrates on the information of the Department when there was no ground for it, as might otherwise be the case.

Mr. CORRANCE, in withdrawing his Amendment, objected to any increase of taxation on unskilled labourers.

Amendment, by leave, *withdrawn.*

General PERCY HERBERT proposed another Amendment to omit the words "Under Gardener" from the Resolution, on the ground that, as stated by the Chancellor of the Exchequer, all skilled gardeners, whether under-gardeners or not, would be liable.

Amendment proposed, in line 15, to leave out the words "Under Gardener."—(*General Herbert.*)

Viscount GALWAY objected to the charge which it was proposed to impose for stable-helpers.

The CHANCELLOR of the EXCHEQUER said, that hon. Members opposite complained that this was a rich man's Budget, and yet they proposed the omission in that case of under-gardeners and stable-helpers, who were to be supposed to be kept by people in straightened circumstances. These things would be in the hands of the Excise, and a uniform construction of the law would come about, not from anything said or done in that House, but from the practice which would gradually spring up, and which would become uniform all over the country. He could not see that any good would be done by omitting what had always been in the Acts hitherto.

Mr. HUNT said, the Committee wanted an assurance that in the Bill there would be a definition of what was meant by an under-gardener.

The CHANCELLOR of the EXCHEQUER declined to give such an assurance.

Mr. HENLEY thought the words ought to be defined by the right hon. Gentleman, as a guide to magistrates who might have to deal with questions respecting them hereafter.

Mr. STANSFELD said, the clauses of the Bill would, no doubt, be carefully drawn; but, as his right hon. Friend had said, a good deal must be left to be settled by the practice of the Board of Inland Revenue. The practice would operate as the interpretations of courts of law operated in explaining statutes, and he did not think that uniformity was to be secured by heaping words upon words and definition upon definition in an Act of Parliament.

Viscount GALWAY said that the insertion of the words "stable-helper" would be a serious matter to gentlemen who kept hounds. A stable-helper was not a skilled labourer, and the right hon. Gentleman had no right to tax him.

Question, "That the words proposed to be left out stand part of the proposed Resolution," put, and *agreed to.*

The CHANCELLOR of the EXCHEQUER moved that the words "Game Watcher" be omitted and "Under Keeper" inserted.

Amendment made, in line 16, by leaving out the words "Game Watcher," and inserting the words "Under Keeper."

Mr. HIBBERT hoped the Motion he was going to submit would not place him in any position of antagonism to the Chancellor of the Exchequer, whose Budget had been received with general satisfaction. On this question, however, two opinions were allowable. The tax on male servants was one bad in principle, but if the right hon. Gentleman intended to make the tax a permanent one, it ought not to be felt to be unjust to any portion of the public. The proposal was certainly one for reduction of taxation for what might be called the richer classes; but it was an increase of taxation for the less rich class, and he trusted that the motto of the right hon. Gentleman would be justice to all. If the tax were lowered to 10*s.* 6*d.*, a much larger amount in proportion would be obtained. He hoped the right hon. Gentleman would treat this matter in a generous spirit. The Budget had given general satisfaction, and he trusted the right hon. Gentleman would not include in it any alteration of a tax which would press unjustly on any portion of Her Majesty's subjects. In conclusion he moved that the sum be altered from 15*s.* to 10*s.* 6*d.*

Amendment proposed, to leave out "15*s.*," in order to insert "10*s.* 6*d.*"—(*Mr. Hibbert.*)

The CHANCELLOR of the EXCHEQUER said, the total amount of the tax upon servants was £220,000, and the hon. Gentleman proposed that about £60,000 should be taken off. Of this £60,000 about £20,000 would be in respect of servants under eighteen years old, and the remainder in respect of servants above that age. The Committee would, therefore, perceive the real character of the hon. Gentleman's proposition, and it would be for them to say whether it should be accepted or not. He had been charged with being kind to the rich and pressing too hardly on the poor. The question was whether a tax, which had been already reduced by 6*s*. on every servant in favour of the rich, should be reduced by 6*s*. more on every servant, two-thirds of which latter sum would go to the relief of the rich and one-third to the relief of the poor. That was a plain statement of the case which he would now leave in the hands of the Committee, merely observing that if the Revenue were impoverished by the carrying out of the proposal some other tax must be found to supply the deficiency.

MR. RYLANDS appealed to his hon. Friend to withdraw the Amendment. His hon. Friend was wrong in assuming that all the boys under eighteen years of age were employed by persons of small means.

MR. CANDLISH opposed the Amendment, and thought the Committee could find many better ways of disposing of £60,000 than in relieving the taxes on male servants.

SIR JOHN HAY believed the reason why a tax was originally put on male servants, was that their employment in a domestic capacity deprived the army of certain recruits. He should recommend the Chancellor of the Exchequer to omit the word "male" from his Resolutions, and let those ladies who desired the suffrage and others equalize the tax on all descriptions of servants.

Question, "That 15*s*. stand part of the proposed Resolution," put, and *agreed to.*

MR. ALDERMAN W. LAWRENCE said, that under the proposed system a carriage with two wheels would be charged 15*s*., a carriage with four or more wheels and weighing less than 3 cwt., £2 2*s*., and a carriage with four or more wheels and weighing more than 3 cwt. was also to be charged £2 2*s*. The effect of this method of taxation would obviously be to encourage the manufacture and use of two-wheel carriages, which were more dangerous than those with four wheels. As an instance of this he might mention that many accidents were caused in Dublin by the two-wheeled cars, and in order to discourage their use the corporation taxed them as much again as the four-wheeled cabs. Any system which would influence the mode of the construction of carriages was a bad one. Great difficulty, he might remark, would be experienced in some country districts in ascertaining the exact weight of carriages, and for these reasons he moved to omit the words "having four or more wheels," in order to insert the words "drawn by two or more horses."

Amendment proposed,

In line 27, to leave out the words "have four or more wheels, and shall be of the weight of three hundredweight or upwards," in order to insert the words "be drawn by two or more horses."—(*Mr. Alderman Lawrence.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Resolution."

THE CHANCELLOR OF THE EXCHEQUER said, that the changes now under consideration included omnibuses, cabs, and other vehicles used for the general purposes of locomotion, and, accordingly, it was impossible to say what the effect of the proposed alteration would be. The results of the change would certainly be serious, for £1 6*s*. would be lost upon every brougham; and there must be a corresponding reduction upon flies at railway stations, a class of vehicle upon which taxation already had been largely diminished. He hoped, therefore, that the Committee would not agree to the Amendment of the hon. Member, because it would entirely vitiate all the calculations upon which the taxes upon locomotion had been based, and abstract a large sum of money from the Revenue which he would not know how to make good. With regard to the weight of vehicles he had made inquiries, and found that 4 cwt. would be about the most satisfactory figure at which to place the limit, and he hoped the right hon. Gentleman opposite (Mr. Hunt) would accept that as a satisfactory compromise.

VISCOUNT GALWAY, who looked upon upon gigs as very insecure conveyances, supported the proposition before the Committee.

MR. SCOURFIELD said, that one effect of the Resolution would be to cause people to be deceived. They would purchase carriages upon the understanding that they were of a certain weight, and would find out afterwards that they were more.

MR. ALDERMAN W. LAWRENCE, after what had been stated by the Chancellor of the Exchequer, consented to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

MR. HUNT moved that the words "five hundredweight" should be inserted in the Resolution in place of the words "three hundredweight." The standard fixed by the Chancellor of the Exchequer might be very desirable for London, but it would not be suitable for country carriages. Basket carriages, for instance, were, upon an average, from 3½ to 4¾ and 5¼ cwt.; and if the standard of the Chancellor of the Exchequer were adopted, the effect would be to make the owners of pony carriages sell them, and buy vehicles of a more expensive description. Should the right hon. Gentleman not be willing to accept the 5 cwt., he would compromise the matter by agreeing to insert the weight at 4½ cwt.

THE CHANCELLOR OF THE EXCHEQUER said, he had already advanced half-way to meet the right hon. Gentleman; but having made inquiries through the Inland Revenue, he felt that he should not be justified in going further.

Amendment *negatived.*

Other Amendments made, in lines 28 and 30, by leaving out the word "three," and inserting the word "four."

MR. HOWES moved an Amendment having the effect of reducing the duty upon carriages of less than four wheels to 10*s.* 6*d.* By his Amendment he wished to save a small kind of pony carriage, on which the present tax was 10*s.*, from the additional burden proposed by the Chancellor of the Exchequer. The right hon. Gentleman's proposal would make the tax on this class of carriages 15*s.*, whereas he had reduced the tax on the highest class of carriages from £3 10*s.* to £2 2*s.* The Amendment which he (Mr. Howes) proposed would probably entail a loss to the Revenue of £30,000. That amount was not to be disregarded; but the adoption of his Amendment would remove a great deal of the irritation felt by the owners of this kind of pony carriage at the way in which the right hon. Gentleman's plan dealt with them, while he reduced the tax on the highest class of carriages nearly one-half.

Amendment proposed,

In line 31, after the word "hundredweight," to insert the words "unless such carriage shall have two wheels only, then 10*s.* 6*d.*"—(*Mr. Howes.*)

Question proposed, "That those words be there added."

THE CHANCELLOR OF THE EXCHEQUER could not imagine that the Committee would accede to this Amendment. As at present proposed, every four-wheeled carriage would pay £2 2*s.*, being but a small part of what that class of carriages had hitherto paid, but still it would pay a considerable tax; whereas every Hansom cab would pay 15*s.*, a very disproportionate sum. He should have been very glad if, without producing inconvenience, he could have made these two taxes approach each other more nearly. But the effect of the Amendment would be to lower the tax on Hansom cabs to 10*s.* 6*d.* That arrangement could not stand. It would necessitate a review of the whole question of the taxation of cabs in London. The truth was that there would be no great hardship in a tax of 15*s.* The Amendment would apply to every two-wheeled carriage—to gentlemen's dog-carts, to every gig and every cab, such as gentlemen might drive about London. The tax on horses had been reduced from £1 1*s.* to 10*s.* 6*d.*, and the owners of two-wheeled carriages would profit very largely by that reduction without any further reduction. The Amendment would not only cause a loss to the Revenue; it would be a step in the wrong direction, because the plan that had been adopted by the Committee had been rather to raise low taxes and to lessen large ones.

Amendment, by leave, *withdrawn.*

MR. HOWES moved that two-wheeled carriages, drawn by ponies under thirteen hands high, should be chargeable with the duty of 10*s.* 6*d.*

Amendment proposed,

In line 31, after the word "hundredweight," to insert the words "carriages with two wheels drawn by ponies under thirteen hands, 10*s.*"—(*Mr. Howes.*)

The CHANCELLOR of the EXCHEQUER objected to the Amendment, on the ground that it would add another column to the accounts, which it was the desire of the Government to simplify. He did not feel called upon to encourage the practice of driving small ponies. More accidents occurred to pony carriages than to any other description of vehicle, and, besides, that there was a certain amount of cruelty in making an animal that eat but little do the work that ought to be performed by a horse.

Mr. HUNT said, he had not so much morbid sympathy for small ponies as for the owners of them. There were certain persons exercising the profession of costermongers, who were very hardworked and a very useful class of the community, who were only able to drive small ponies. It would be very hard upon them if they had to pay 15*s.* for their carts.

The CHANCELLOR of the EXCHEQUER said, it must be remembered that costermongers had not to pay the taxes which were paid by persons who sold the same goods in shops.

Question, "That those words be there added," put, and *negatived.*

Mr. CHARLEY hoped that, during the Recess, the Chancellor of the Exchequer would give his attention to the Memorial which he had presented to him on behalf of a large body of cabmen, in public meeting assembled, at the Cabinet Theatre, Gray's Inn Road, who, while very thankful to the right hon. Gentleman for the proposed reduction of taxation, objected to the assimilation of the duties paid by seven-day cabmen and six-day cabmen. Since the time that the two scales were adopted the number of the six-day cabs had increased in much greater proportion than the seven-day cabs, which had fluctuated: thus, in 1863, there were only 1,887 six-day cabs; in 1868, 2,356. During the same period the seven-day cabs decreased from 3,720 to 3,470. The six-day cabmen were, as a rule, a more civil class of men than the seven-day cabmen. As the comfort of hon. Members largely depended on the civility of cabmen, he might mention that the six-day cabs were all numbered on the plate in the rear, "10,000," and upwards — five figures. The seven-day cabs never had more than four figures—from 1 to 4,000. The memorialists thought that a reduction of one-seventh ought still to be made in favour of the six-day cabmen.

Mr. VANCE asked, whether the Chancellor of the Exchequer would carry out the promise he had made here in respect of the duty on hackney carriages in Dublin?

The CHANCELLOR of the EXCHEQUER said, it would be carried out in the Bill.

Mr. WELBY moved an Amendment to exempt brood mares from duty. They were very useful animals.

Amendment proposed, in line 36, after the word "riding," to insert the words "or a mare kept solely for breeding purposes."—(*Mr. Welby.*)

The CHANCELLOR of the EXCHEQUER agreed with the hon. Gentleman that brood mares were very useful animals; and, consequently, he thought they ought not to be exempted from the duty paid for horses and for other mares.

Question, "That those words be there inserted," put, and *negatived.*

Mr. HUNT suggested to the Chancellor of the Exchequer that it would not be advisable to have two scales of duty for armorial bearings. If the President of the Board of Trade were present, probably he would say "armorial rubbish," as on a former occasion he had said "ecclesiastical rubbish." This was a poor man's question. The £2 2*s.* duty would press heavily on the owners of little pony carriages who had had their crest painted on the panel, for they must either go to the expense of having it painted out or pay the duty.

Amendment proposed, in line 39, after the word "called," to leave out to the word "used," inclusive.—(*Mr. Hunt.*)

Admiral ERSKINE concurred with the right hon. Gentleman (Mr. Hunt) in thinking that the new arrangement would press heavily on the owners of the humbler styles of vehicle.

The CHANCELLOR of the EXCHEQUER said, he could conceive nothing more absurd than the present system, by which a person with armorial bearings on his ring or seal paid 13*s.* 2*d.*, but if he had a carriage drawn by two horses, for which he paid £3 10*s.* to the State, he had to pay £2 12*s.* 9*d.*, instead of 13*s.* 2*d.*, and that, too, whether he put his armorial bearings on his panel or not. His proposal, which the right hon. Gentleman appeared to think so absurd, was that a person using armorial bearings should pay £1 1*s*. and if he placed them on the panels of his carriage he should pay another £1 1*s*. in addition.

Mr. HUNT, though concurring in the right hon. Gentleman's opinion as to the absurdity of the present system, thought it was also absurd that a man who placed his armorial bearings on the harness of his carriage should pay £1 1*s*., but if he placed it on the panel of his carriage, where it would not be more displayed, should have to pay £2 2*s*. instead.

Mr. NEVILLE-GRENVILLE thought it a still greater absurdity that the thirteen-and-twopenny man should have to pay £1 1*s*.

Mr. DALGLISH objected altogether to the taxation of armorial bearings; he had made what little he possessed by calico printing, and he did not see why he should not be allowed to emblazon a calico printing machine on his carriage. Why should he be taxed for it? He objected to armorial bearings being taxed, because he thought that every man had a right to develop his little ideas on his harness.

Question, "That the words proposed to be left out stand part of the proposed Resolution," put, and *agreed to*.

Mr. Alderman W. LAWRENCE thought the proposal would oftentimes press heavily upon persons of limited means and upon widows reduced in circumstances by the death of their husbands, if they were compelled to pay £1 1*s*. per annum, because they desired to retain some seal or spoon upon which there was an armorial bearing. He, therefore, moved the insertion of words which would exempt from the payment of this tax those persons who did not contribute to the Revenue on account of their keeping a male servant, a horse, or a carriage.

Amendment proposed, in line 42, after the word "used," to insert the words "by any person keeping a male servant, or a horse, or a carriage."—(*Mr. Alderman Lawrence.*)

The CHANCELLOR of the EXCHEQUER presumed that it would be impossible to get through a discussion on our taxes without the irrepressible widow being brought forward. He would call the hon. Gentleman's attention to the fact that the tax was only to be paid in case the articles were "used" or "worn;" and that if they were merely kept their owners would not be liable.

Mr. M'ARTHUR hoped that the right hon. Gentleman would accede to the Amendment. He himself knew several widows and persons in reduced circumstances who had plate left to them, and who would feel the tax and the visit of the Excise officer severely.

Question, "That those words be there inserted," put, and *negatived.*

Resolution, as amended, *agreed to.*

House *resumed.*

Re-committed Resolution, as amended, and the other Resolution, to be reported upon *Thursday* 27th May;

Committee to sit again upon *Friday* 28th May.

CONTAGIOUS DISEASES ACT (1866).

MOTION FOR A SELECT COMMITTEE.

Mr. BRUCE, in moving for a Select Committee to inquire into the working of the Contagious Diseases Act, 1866, and to consider whether, and how far, and under what conditions, it may be expedient to extend its operations, said, the Lords' Committee had recommended that the Act should be extended to eleven more military stations, and several towns had applied to have the Act extended to those localities. The Government thought the principle of the Bill should not be extended without consideration, and they, therefore, proposed that the measure should be submitted to the consideration of a Committee.

Mr. MITFORD said, that on the 25th of February the Government were asked in the other House, what were the intentions of the Government on the question, and the reply was that the Government would bring in a Bill. Relying on this, those opposed to the measure took no action, and now, on the eve of Whitsuntide, the House was adjourning, and no Committee could sit till the month of June. The Government should at least have taken some notice of a memorial signed by physicians and doctors, and, endorsed by the heads of Colleges at

Oxford and Cambridge, and the Vice Chancellors of the Universities. He hoped, however, that the measure would be passed.

Colonel NORTH also expressed a hope that the Government would proceed earnestly in the matter, which was of the deepest importance to the troops, if not to the community generally.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the working of the Contagious Diseases Act, 1866, and to consider whether, and how far, and under what conditions, it may be expedient to extend its operation."—(*Mr. Secretary Bruce.*)

And, on June 8, Committee *nominated* as follows:—Mr. Childers, Sir John Pakington, Captain Vivian, Marquess of Hamilton, Mr. Donald Dalrymple, Mr. Percy Wyndham, Mr. Kinnaird, Mr. Collins, Sir John Simeon, Mr. James Lowther, Mr. Rathbone, Lord Eustace Cecil, Lord Charles Bruce, Sir James Elphinstone, Mr. Murphy, Mr. Tipping, Dr. Brewer, Mr. Mills, Captain Grosvenor, Sir John Trelawny, and Mr. Mitford:—Power to send for persons, papers, and records; Five to be the quorum.

O'SULLIVAN'S DISABILITY BILL (EXPENSES OF COUNSEL, &c).

MOTION FOR RETURNS.

Motion made, and Question proposed,

"That there be laid before this House Returns, stating the total amount of the expenses incurred by Her Majesty's Government for the payment of Counsel, and for the attendance of Witnesses and other persons on the occasion of the different stages of the Bill for disabling Mr. Daniel O'Sullivan from holding the office of Mayor of Cork, or any other office or dignity in Ireland:

And, stating from what particular source such expenses are to be defrayed."—(*Sir Percy Burrell.*)

Motion, by leave, *withdrawn.*

WHITSUNTIDE HOLYDAYS.

Mr. GLADSTONE moved, That the House, at its rising, do adjourn until Thursday the 27th inst.

Lord ELCHO called the attention of the Home Secretary to the necessity, when three or four regiments of Volunteers were brought together for exercise in the parks, of having some five, six, or eight mounted policemen, in order to indicate to the people the line of demarcation that would be required.

Mr. BRUCE said, he would take the subject into consideration, and see what arrangement could be made.

Motion *agreed to.*

House at rising, to adjourn till Thursday 27th May.

POOR LAW UNION LOANS BILL.

On Motion of Mr. Candlish, Bill to amend the Law relating to the repayment of Loans to Poor Law Unions, *ordered* to be brought in by Mr. Candlish, Mr. Hibbert, and Mr. Dillwyn.

Bill *presented,* and read the first time. [Bill 128.]

SALMON FISHERIES LAW AMENDMENT BILL.

On Motion of Mr. Knatchbull-Hugessen, Bill to amend the Laws relating to Salmon Fisheries in England, *ordered* to be brought in by Mr. Knatchbull-Hugessen and Mr. Secretary Bruce.

Bill *presented,* and read the first time. [Bill 130.]

PETROLEUM BILL.

On Motion of Mr. Knatchbull-Hugessen, Bill for the safe keeping of Petroleum and other substances of a like nature, *ordered* to be brought in by Mr. Knatchbull-Hugessen and Mr. Secretary Bruce.

Bill *presented,* and read the first time. [Bill 131.]

TRADE MARKS REGISTRATION BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to provide for the voluntary Registration of Trade Marks.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. Shaw Lefevre and Mr. John Bright.

Bill *presented,* and read the first time. [Bill 126.]

WITNESSES (HOUSE OF COMMONS) BILL.

On Motion of Sir John Esmonde, Bill to enable the House of Commons to examine witnesses on oath, *ordered* to be brought in by Sir John Esmonde and Mr. Bonham-Carter.

Bill *presented,* and read the first time. [Bill 129.]

TITLES OF RELIGIOUS CONGREGATIONS ACT EXTENSION BILL.

On Motion of Mr. Headlam, Bill to extend to Burial Grounds, the provisions of the Act of the thirteenth and fourteenth years of Her present Majesty, chapter twenty-eight, intituled "An Act to render more simple and effectual the Titles by which Congregations and Societies, for purposes of religious worship or education in England and Ireland, hold property for such purposes," *ordered* to be brought in by Mr. Headlam and Mr. Pease.

Bill *presented,* and read the first time. [Bill 127.]

House adjourned at a quarter
after One o'clock, till
Thursday 27th May.

HOUSE OF COMMONS,

Thursday, 27th May, 1869.

MINUTES.] — WAYS AND MEANS—*Resolutions* [May 13] *reported.*

PUBLIC BILLS—*Second Reading*—Election Commissioners (Expenses) * [109]; Diplomatic Salaries, &c. * [118]; County Coroners * [75].

Committee—Report—Customs and Inland Revenue Duties [95-132]; Civil Offices (Pensions) [42-133]; Beerhouses, &c. (*re-comm.*) * [116].

Considered as amended—Evidence Amendment * [25].

Withdrawn—Representative Peers (Scotland and Ireland) * [41]; County Courts * [9]; Water Supply * [83].

COSTS OF PROSECUTIONS.—QUESTION.

MR. HUNT said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it would not be desirable to put an end to the system of examining the items of the costs of prosecutions in indictable cases by Imperial officers previous to payment by the Treasury, and to substitute a payment to the local treasurers in respect of such cost of a commutation sum for each indictable offence, either on a general average, or an average of classes of offences, on the same principle that has been adopted in the case of prosecutions under the Criminal Justice Act and Juvenile Offenders Act?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he had referred the subject to the examiners of criminal law accounts, and he was sorry to have to state that, on the best consideration he could give to it, he did not think he could comply with the suggestion of the right hon. Gentleman. The right hon. Gentleman thought they might take either a general average in those cases, or an average founded on particular classes of crimes. He did not, however, see how the proposed change could be made; because in different counties there was not only a different number of crimes, but the crimes were different in quality, atrocity, and expensiveness. For instance, in Essex the prosecutions cost on an average £8 each; in Berkshire they cost £9; in Cheshire they cost £14; and in Lancashire they cost £23 each. It would, therefore, be impossible to make up a satisfactory average out of these figures, because no compensation could be given for the larger outlay in Lancashire as compared with Essex or Berkshire. Then, again, if an attempt were made to adopt an average based upon particular crimes, it would be found that those crimes differed materially in their accompanying circumstances, and that while one was of a perfectly simple character, another involved a variety of more or less conflicting considerations, and could only be proved or disproved by a mass of circumstantial evidence. The expense of examining those accounts was £3,500 a year, and the work was, he believed, very satisfactorily performed. He should certainly be glad to save the country that outlay, but he did not see his way to the attainment of that object.

CUSTOMS AND INLAND REVENUE DUTIES BILL—[BILL 95.]—COMMITTEE.

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Ayrton.*)

Order for Committee read.

MR. HUNT said, they had previously had no opportunity of considering that important measure, and they had then to discuss it at a comparatively late period of the Session. The delay had no doubt been unavoidable in consequence of the state of the Public Business, and he had no reproach to address to the Government upon that point. They had already discussed certain portions of the financial proposal of the Chancellor of the Exchequer in Committee of Ways and Means; but he hoped the House would then allow him to enter into an examination of the general plan of the right hon. Gentleman, as far as it regarded the time for the collection of the taxes, the effect which it would have on the payments into the Exchequer and out of the Exchequer, the means which it would leave at the disposal of the Government for meeting the demands of the public service, and the influence which it would probably exercise on the state of the money market. The scheme of the right hon. Gentleman was, no doubt, in many respects popular, because it proposed very great remissions of taxation; and he (Mr. Hunt) was not prepared to complain of the particular articles which had been selected for those remissions, because he believed that, assuming the necessary funds were available, that selection was exceedingly judicious. Those remissions amounted in the whole to £3,480,000, of which sum there would be gained in the present year £2,940,000. The right hon. Gentleman commenced his Financial Statement by informing them that the expenses of the Abyssinian War would swallow up the whole of the surplus, with the exception of a small sum of £30,000, and, of course, under ordinary circumstances, the right hon. Gentleman would have no remission of taxation to propose. But he was not content with so unsatisfactory an announcement, and he proceeded to show them how ingeniously he could make a surplus out of nothing, and how he could diminish the taxation of the year by a sum of £2,940,000. It was obvious, however, that if that remission of taxation were made, a proportionate sum of money must be found somehow. For that purpose the right hon. Gentleman proposed to alter the time at which the payments were to be made under Schedules A, B, and D of the income tax, as well as for the land tax, the house duty, and the license duties. Now, what would be the effect of that proposal as far as the income tax was concerned? The right hon. Gentleman, in point of fact, called, not upon all income tax-payers, but upon certain classes of income tax payers, to pay the charge for five quarters within the year. He postponed the payment of the income tax until the January quarter, and then he accelerated the payment which had hitherto been made in April, and provided that the whole sum should be payable in the January quarter. Persons contributing to the income tax under Schedules A, B, and D would thus have to pay for five quarters within the year; and the total charge to which they would become liable during the twelve months would be 6½*d.* in the pound; that was to say 5*d.* for the year itself, and 1½*d.* for the quarter of the preceding year. The right hon. Gentleman might say that, although that sum would be paid within the year, it would not be paid in respect of the year. That was, no doubt, true, but the payment would still be made within the year; and an additional charge would thus have to be met. But there was to be an inequality between different classes of income tax payers, because those who paid under Schedules C and E would have to pay during the year only for four quarters; and it appeared to him (Mr. Hunt) that that would not be a perfectly fair mode of proceeding. He should next endeavour to show that the time in which the right hon. Gentleman proposed to collect the taxes would render them peculiarly burdensome. The hon. Gentleman the Secretary to the Treasury had moved for a Return which showed at what time of the year these taxes would be payable. In the month of January, 1870, people would have to pay the income tax for the whole of the financial year, as well as the land tax, the house duty, and the license duties; and when the April quarter came they would be called upon to pay up a second moiety of the assessed taxes for the year 1868-9. The right hon. Gentleman stated that by the proposed alteration in the time of collecting the taxes a saving of £100,000 would be effected. No doubt, a great saving would result, and as he had no means of testing the accuracy of the right hon. Gentleman's figures, he would assume it at the sum stated. But he could not help apprehending that the inconvenience and pressure which would be created by making such a demand on the tax-payer in one quarter of the year might counterbalance the advantage of that saving of £100,000. No doubt, too, the principle of collecting the whole of a tax at one time was a good one; but the really sound principle on which to act was, in his belief, to collect the taxes in the mode and at the time which would be most convenient to the tax-payer. But the proposal of the right hon. Gentleman seriously offended against this wholesome canon. He should be glad to know whether the right hon. Gentleman, in making his calculations, had taken into account the defalcation which might arise from the fact that many persons would perhaps find themselves unable to meet the heavy demand which he made upon them. It was well known that householders in general were never more pressed for money than when they had to pay their Christmas bills, and that was the period which the right hon. Gentleman had selected for overwhelming them by calling upon them to make that unusual contribution to the public Exchequer. He (Mr. Hunt) would next deal with the second part of the subject—namely, the effect of the scheme on the Exchequer balances. When this subject was before the House on a previous occasion he had called the right hon. Gentleman's attention to the inconvenience which would be caused by leaving the

Exchequer dry at some periods of the year and having it full at others. The right hon. Gentleman had granted him a Return on this point (*Parliamentary Paper* 164). The Return, as granted by the right hon. Gentleman, was not, however, in the shape in which he had asked for it. Had it been granted in the form in which he had asked for it, it would, he believed, have made the defects of the right hon. Gentleman's plan more apparent, because by taking the average of seven instead of three years, as the right hon. Gentleman had done, the right hon. Gentleman obtained a great advantage, for until the Abyssinian War occurred the balances in the Exchequer were greater than at present. On that account he believed the average of the last three years would have shown a more unfavourable result. According to this Return the average amount of the balances at the close of the different quarters during the last seven years was on the 30th of June, £6,190,443; on the 30th of September, £4,140,574; on the 31st of December, £5,708,366; and on the 31st of March, £6,420,268. By the proposed change the balance on the 30th of June would be reduced by £1,850,000; on the 30th of September, £2,450,000; and on the 31st of December, £4,620,000, while there would be no effect on the fourth quarter in ordinary years, although a material effect would be produced during the present year in consequence of the payments of different taxes being made into the Exchequer at different times. But he wished particularly to call attention to the state of the balance in the Exchequer on the 31st of December, which according to that Return would only just be over £1,000,000. The House would recollect that the charges to be then met would not be altered by the scheme of the right hon. Gentleman. He found that in the two quarters following the December quarter, when the balance would be so greatly reduced, there would have to be paid, for interest to the public creditor and other charges on the Consolidated Fund, a sum, in round numbers, of £7,500,000, while in the two subsequent quarters there would have to be paid £6,500,000; so that, according to the financial scheme submitted to the House, the right hon. Gentleman proposed to wind up the December quarter with a balance of £1,000,000, when he had to make a payment of £7,500,000 out of the Exchequer. He (Mr. Hunt) could not but think that such an arrangement would be attended with considerable inconvenience to some future Chancellor of the Exchequer, for he really could hardly suppose that the right hon. Gentleman, after such a proposal, expected to remain in Office for another year. The Exchequer would thus be left so dry that it would be necessary to borrow money from the Bank of England or some other quarter to pay nearly the whole of the sum due to the public creditor; and that was a state of things which it would be impossible to justify. If the right hon. Gentleman should have to borrow to that extent, might not the interest on the loan absorb a great portion of the saving he expected to effect in the cost of collection? He might think he could borrow at a low rate of interest; but when the sum was so very large, and the resources of the Bank of England were to be diminished by the operations of the right hon. Gentleman himself, he might find that the sum he had to pay in the shape of interest was very considerable indeed. In the year 1844 a financial operation was proposed by Mr. Goulburn, the Chancellor of the Exchequer in Sir Robert Peel's last Administration, which was the very reverse of the scheme at present put forward by the right hon. Gentleman. Mr. Goulburn in that year proposed a change in the time at which the dividends in the public funds were to be paid, and he did so for the express purpose that the payments into the Exchequer and out of the Exchequer should correspond in point of time. The payments that had previously been made in January and July, as compared with April and October, were in the proportion of five to two. That arrangement was found very inconvenient, and means were taken to alter it and to equalize the payment of the dividends as nearly as possible in the different quarters of the year. That measure had answered its purpose; but the right hon. Gentleman at present proposed to reverse that policy. He did not say he would alter the time for the payment of the dividends; but he sought to alter the time for making the payments into the Exchequer, out of which the amount of the dividends was to come, and that was a matter which deserved the serious consideration of the House. This evil might to a great extent have been avoided without sacrificing the main part of the plan of the right hon. Gentleman. He might still have collected each tax at one period of the year; but there was not the slightest necessity for him accumulating the payment of all these taxes in one quarter. He might have made the income tax payable in the January quarter, and the land tax, house duty, and assessed taxes payable in the July quarter; or he might have made other arrangements by which the money should have been drawn into the Exchequer at two different periods of the year. If he had done so, he would have avoided one of the great evils of this plan, both as regards inconvenience to the tax-payer and inconvenience to the Exchequer. He (Mr. Hunt) had the other day alluded to the effect which the proposal of the right hon. Gentleman might be expected to produce on the money market. He had endeavoured to point out that, by leaving the Bank without the usual Government deposits during the last half-year, and enabling them to reap the benefit of accumulations in the January quarter, great fluctuations might be caused in the rate of interest, the Bank being extremely weak during one period of the year, and extremely strong during another. Having dwelt upon this point before, he did not wish to go over the ground again; but he could not help adverting to a remark which fell from the right hon. Gentleman. In answer to the observations made, he said—"What have I to do with the money market? That must take care of itself." Had the right hon. Gentleman been Chancellor of the Exchequer for four years instead of four months he would scarcely have made use of such a remark. It was certainly surprising to hear such words falling from official lips. The right hon. Gentleman must have forgotten how much his revenue depended upon the state of the money market, and how much his power of borrowing depended upon it; and it was to be feared he would stand much in need of what he could borrow. The right hon. Gentleman might depend upon it that it behoved the Chancellor of the Exchequer to have some thought for the money market, for, in the artificial state in which we lived, the money market could not be left to take care of itself in the way proposed. We were living in an artificial state as regarded the relation of the Bank of England to the money market, and also as regarded the relation of the Government to the Bank of England, and, therefore, he thought the observation of the right hon. Gentleman was, to say the least, unfortunate. He had endeavoured to point out what he thought was evil in the propositions of the right hon. Gentleman; but that they were not unalloyed with good he was free to admit. He accepted the plea for collecting the taxes at one part of the year instead of at several, and he approved the proposed change of assessed taxes into license duties; but we might have had all the good of the right hon. Gentleman's proposals without the evil if he had not accumulated the payment of all these taxes into one quarter of the year.

THE CHANCELLOR OF THE EXCHEQUER: As no one wishes to address the House, I will briefly reply to the observations of the right hon. Gentleman. Before I do so, it may be convenient that I should make one announcement, and that is that, owing to representations which have reached the Government from many different quarters, it is our intention to propose an exemption with regard to brood mares. The right hon. Gentleman began by saying we propose to make people pay five quarters of the income tax in the same financial year. It is quite true; but then it is also true, if you drop the word "financial," that we always made them pay five quarters within the year. ["No, no!"] Take the instance of the income tax. One quarter is collected on the 20th of April, two quarters are collected in October, and one quarter in January—that makes four quarters—and then another quarter, the first of the second year, is collected on the 20th of April; and that makes five quarters. [Mr. HUNT: But that is not in the same year.] The gist of the right hon. Gentleman's charge is that there is hardship in making the tax-payer pay five quarters, not in the same financial year, but in the same year, within the twelve months; and so he always does; and if he does not he will not do it in this case. You take the 20th of April in two successive years and count them both; by the same reckoning you always pay five quarters, and if it is not so, you will not do it in this case. [Mr. CRAWFORD: How many do you pay in two years?] Nine, by the same rule. But I now come to something a little more serious. The right hon. Gentleman says that we oppress the income tax-payer, and make him pay a quarter more than he otherwise would. But does the system we propose to introduce inflict any hardship? We may put out of sight the first April instalment, because that will be payable under either system; but at present two quarters are payable in October, one in January, and then one in April. Under the new system we propose to ask for nothing in October, but we take the whole in January; that is—we give the tax-payer credit for three months on two quarters' tax, and we accelerate the payment of one quarter's, so that he gains by the change the interest upon one quarter's tax. With regard to land tax and inhabited house duty, the right hon. Gentleman says there is hardship in calling for the payment of them in January. But now they are paid in October, three months before, and in April, three months after. We forbear the three months before, and accelerate the three months after, so that the tax-payers are precisely in the same position. They gain forbearance for three months; they lose acceleration for three months. As regards the assessed taxes, no doubt the right hon. Gentleman has something to say. If we take the calendar year, there will be paid £1,000,000 of assessed taxes in new license duties, and there will be paid, besides, £600,000 of the old assessed taxes which fall due in April; so instead of paying, as they would under the old system, in the next financial year £1,200,000, the payers of assessed taxes will be called on to pay £1,600,000, and there is a loss to them of £400,000. That loss, however, will be recouped in this way—the assessed taxes are reduced by £200,000, and, therefore, half of the £400,000 will be gained in the first year, and the other half in the next year, so that by the third year the loss will have been restored by the reduction of taxes. That is the whole amount of loss or injury in the shape of ready money, and that is a change by which we shall be enabled to raise £3,000,000 of money. As I have explained, although we do anticipate the resources of the coming year, yet we lose nothing by that, because we are able to anticipate the resources of the following year, and so on *ad infinitum.* The right hon. Gentleman wanted me to conjecture the balances there would be for the present year and to stake my financial scheme upon that estimate, and he says that I have a great advantage in taking the average of the last seven years instead of the present year. But does the right hon. Gentleman consider the state in which he left the balances? I thought it much better to take the balances of the last seven years, which have been under different hands from those of the right hon. Gentleman, and which, probably, afforded a fairer way of stating the case. I do not wish to state the case in my favour; at the same time I do not wish to state it so much against myself as I should if I argued upon the right hon. Gentleman's figures. He says we shall be in want of money and must borrow. I have given much attention to the subject, and, fortified by very good authority, I am satisfied that there will be no real difficulty. Two expedients have been suggested besides the ordinary ones of borrowing and issuing Exchequer bills; they are not matured yet, but they will enable us to do something towards re-producing something like equality in the payment of dividends. I think Mr. Goulburn was quite right, and I shall be glad to pursue equality, unless deterred by some accident. Now, with reference to another point. It is very curious we should be so afraid of borrowing money on too easy terms that we are determined to enter into no competition in the way of lending. With every respect to the Bank of England, it would be an improvement if we were to go ourselves into the field. We are ourselves very large bankers; we receive large sums of money, and I would suggest, in the next Money Bill brought before the House, the propriety of allowing the Chancellor of the Exchequer to borrow on Ways and Means any temporary deficiency from the trustees for the payment of the National Debt out of funds they may have in their possession to invest. Although I do not propose to go into detail upon this matter at present, the calculations I have made lead me to believe that such an arrangement would enable me very much to equalize the quarters at an expense very trifling as compared with that incurred by borrowing from the Bank of England. I may have to suggest another expedient, which, however, has not yet assumed a very definite form. We are continually paying large sums of money as instalments in the case of terminable annuities issued in connection with the payment of the National Debt, and the payment of these sums is distributed pretty equally all over the year. I think it quite possible—indeed, I believe there is no substantial reason against it—to make the whole of these payments in the two quarters when money will be most abundant, and thus relieve the two quarters when it will be least abundant. These two expedients, and the plan of requiring taxes, the payment of which is now optional, to be paid at the time when the Exchequer is least full, will enable us to equalize the quarters sufficiently for all practical purposes, and to prevent any real disturbance of the money market. We have heard a great deal of this disturbance of the money market, and I think the real meaning of the phrase has scarcely been considered. It is said if we drain our account with the Bank of England every day we shall cripple the Bank for the purposes of discount, and so embarrass the money market. Now, what is the real nature of such transactions as that? If the Government has a large balance at the Bank of England, that balance must have come from somewhere. It has come from the taxes, and has been drawn from all parts of the country, and a great deal of it has come from country banks, which keep their accounts with the Bank of England, or with London banks, which, without exception, keep an account with the Bank of England. So if the Government balance at the Bank of England is very large, that balance has been obtained by reducing the reserves the Bank of England holds for the purposes of other banks; and, conversely, if we lower the Government balance in the Bank very considerably by expending money, that money finds its way all over the country into the country banks, and from them returns through the London banks to the Bank of England. Therefore, what is called draining the Bank of England is little more than transferring the money from one part of the Bank to another by a circuitous course. That this is not a mere hypothesis is curiously evinced by a statement I have had prepared, showing the state of the Bank's reserve before and after the payment of the quarterly dividends. On the 1st of July, 1868, the Exchequer balances at the Bank of England were £3,110,000, but by the payment of the dividends on the 15th of July they were reduced to £689,000 — that is to say, they were reduced by no less than £2,421,000. Now, what was the state of the reserve of the Bank of England at these two periods? When the Government had these £3,110,000 standing to its account the reserve was £12,979,000; on the 15th July, after the Government account had been reduced to £689,000, the reserve was £12,309,000—that is to say, the reduction of the Government balance by £2,421,000 reduced the Bank of England's reserve by only £670,000. The same state of things is shown in all the quarters of the year, with slight variations. What does that mean? It means that the money had left the Bank of England by payment of dividends, and had returned in the shape of deposits, the difference in the end being very small; and I apprehend that would be the state of things even if the Government deposits were very considerably diminished from any cause. I do not think the reduction of the Government balance would injure the operations of the Bank in any way. That is a sufficient answer on the point raised; but I am bound to say if it is not a sufficient answer I cannot subscribe to the theory put forward by the right hon. Gentleman and a weekly newspaper of deservedly high authority as to the duty of the Chancellor of the Exchequer with regard to the Bank of England. It has been argued in this way: It is said that it is necessary the public should be preserved from panic, and that preservation from panic consists in the raising of the rates of discount by the Bank of England; that the raising of the discount rate can only effectually check panics when the Bank is in a condition to rule the money market—that is, when it is strong in funds and is able to make advances, or to refuse to make them, except on high rates; and, therefore, it is argued that it is the duty of the Chancellor of the Exchequer to keep a large balance in the Bank of England in order that the Bank may be able to exercise control over the market. Now, Sir, I repeat what I said before. I think a man is happy if he is able to do his duty, and does his duty by one set of people. It is the duty of the Chancellor of the Exchequer to take care of the tax-payer and the revenues intrusted to his charge; and it is not his duty to put money into the Bank merely for the benefit of the shareholders of the Bank of England—which, after all, is really a private banking institution—or to enable the Bank to assist trades, or to set up storm signals announcing the coming of panics. If it be the pleasure of merchants to set up a sort of monarch over them, to whom they pay deference as the keeper of their monies, and as dictator in matters of exchange and discount, we have not the least desire to quarrel with them. But I entirely deny that it is the duty of those charged with the conduct of the business of the country to regulate their proceedings by a desire to give greater or less privileges for the conduct of any particular business. Government does not interfere with the conduct of any business other than banking. There is no monarch set up by any other department of business to warn those engaged in it of dangers to come; they must look out for themselves; and I do not see that Government should go out of its way merely to strengthen a great institution like the Bank of England. It is the business of speculators not only to see that their speculation is in itself sound; but, if they should require assistance in the way of accommodation, that there is a reasonable probability they will be able to find it. It is no part of the duty of the Government to set up artificial means of insuring that for them; it must be left to every speculator's judgment. I am bound to protect the tax-payer from inconvenience and expense; and I am bound not to put him to inconvenience and expense merely for the purpose of strengthening the balances of the Bank of England, in order that they may be available for accommodating the mercantile community. These are the points the right hon. Gentleman touched upon, and I hope the answer I have given is satisfactory.

Mr. CRAWFORD said, he thought it fortunate for the Chancellor of the Exchequer that he had not to go through a Civil Service examination before being appointed to his present Office. He, for one, was quite unable to understand the calculations which the Chancellor of the Exchequer had submitted to the House. The Chancellor of the Exchequer said that if a man paid his quarter's taxes five times in the course of the year he did not pay more than if he paid only four times. That was practically the sum total of the argument—if a man paid on the 20th of April in this year and on the 20th of April in next year, he would not pay more in the five payments than he would have done in the four. He had put a question to his right hon. Friend, which he was unable to answer—namely, how many quarters would a man have to pay in two years? It stood to reason that he ought only to have to pay eight. [The Chancellor of the Exchequer: He would pay nine.] How many then would he have to pay in three years? Surely twelve quarters; but according to his right hon. Friend it would be fifteen, and so on in progression to the end of time. He had listened with great attention to what fell from his right hon. Friend opposite (Mr. Hunt), and was bound to say his criticisms in many respects were very just. On the other hand, speaking as a member of a large commercial community, he had heard with very great regret the remarks of the Chancellor of the Exchequer that the money market must take care of itself. Those words had created a considerable amount of consternation in the City. He was distinctly of opinion that the Government ought not to be expected to assist the public, or that the public should look to the Government for assistance, in times of commercial distress. The Chancellor of the Exchequer had said he would meet the difficulties stated by the right hon. Gentleman opposite by two expedients. That was the proper word to use — they were expedients. As to the use the right hon. Gentleman might make of those expedients, that was not the time to enter into a debate upon the subject. But he was not prepared to say that inconveniences would not arise, and disturbances in the money market be created by the way in which it was proposed to collect the taxes. In ordinary times, if the Chancellor of the Exchequer found himself unable to meet his charges he would not experience difficulty in obtaining money either from the Bank of England, should he come to it for assistance, or from some other quarter. But we were not always to expect serene skies over our heads, and it was quite possible that great derangement might be created in the money market, when the Chancellor of the Exchequer might need assistance. The question must be regarded from this point of view. The money, whatever it might be, was within the four corners of the kingdom. The question was one merely of distribution. If the Bank had not the money in its coffers as part of the Government balances the public outside had it. The public having the use of the money in the hands of the country bankers would not require to come to the Bank of England for assistance; but if the Government in a time of great difficulty came to the Bank of England, when the Bank had not the money in its hands, there might be an action in the money market which would be attended with great inconvenience. Suppose this action were to occur at a time when there was a drain of bullion, and the precious metals were leaving the country, how could the Bank of England exercise that control over the money market which enabled it, by raising the rate of discount, to restore things to their proper state? The Chancellor of the Exchequer had said that these were things with which the Government had nothing to do; but that was an opinion which, he ventured to say, would in some respects be regarded as unfortunate. The public, hitherto, at least, had looked to the Government, and would continue to look to the Government to conduct its financial operations with a due regard to the public interests as centred in the City of London. The City of London was the centre of the commercial interests of the country, and as the Government acted upon that centre so would the public interests throughout the country be more or less affected. The Chancellor of the Exchequer was taking a different view from his predecessors of this question; but if that view were carried out, and if the public interests were not regarded, a state of things would arise not altogether favourable to the existence of public credit. As to the general argument, he would not follow the Chancellor of the Exchequer into the very wide field he had gone over; but he (Mr. Crawford) must say that the right hon. Gentleman had hardly done the Bank of England justice in some respects. It was not the business of the Bank of England to find funds for the commercial community, nor had it been at any time. The business of the Bank of England was to take care of the funds intrusted to it, and to employ the money for the benefit of the proprietors. As to the "storm signals" to which his right hon. Friend had referred, the Bank of England did hoist "storm signals," and, more than that, having the power, it used it in rectifying what otherwise might at the time be an unfortunate state of things. The right hon. Gentleman opposite (Mr. Hunt) had alluded to the observations made by Mr. Goulbourn, when he moved in that House for the reduction of that part of the debt which in the first instance bore interest at 3½ per cent, and afterwards at 3¼. The view of Mr. Goulbourn on that occasion appeared to be this—that we should use the opportunity for bringing the charge, so far as it depended on the payment of the interest for the quarter, as nearly as possible to an equilibrium with the receipts. Therefore the right hon. Gentleman opposite (Mr. Hunt) was quite correct when he said that the policy of the Chancellor of the Exchequer was distinctly at variance with the policy of Mr. Goulbourn. His right hon. Friend justified what he proposed to do on the ground of the great advantages that would be derived by the public. He hoped they should live to see whether those great advantages would be derived. He felt bound to say that the Budget in its general outlines was popular, and was entitled to the sanction of the House. But there was one point in connection with it to which he was anxious to draw attention. There was one provision in the 8th clause of the Bill which seemed entirely inconsistent with the statement of his right hon. Friend as interpreted by a Paper laid upon the table by the Secretary to the Treasury. According to that Paper the income tax for the financial year 1869-70 was to be collected after the 1st of January, 1870, and that was in strict accordance with the declaration, as he understood it, of the Chancellor of the Exchequer when he made his Financial Statement. But on referring to the 8th clause of the Bill he found this language used—"the land tax, and the duties on inhabited houses, and the duties of income tax"—with some exceptions—"shall be payable on or before the 1st day of January in each year." Now, here was an apparent inconsistency. He confessed when he read the clause it appeared to him to furnish an easy way of getting out of the difficulty into which the Chancellor of the Exchequer had fallen in this matter. But they would have an opportunity of discussing this point when they came in Committee to the clause itself. As to the effect that would be produced upon the public balances, he felt that, occupying as he did the position of representative before the public of the Bank of England, and having by mere accident, as it were, the privilege of being in the House of Commons in that capacity, it was not competent for him to go into questions of a particular nature upon information derived solely from the fact of his being the confidential channel of the Government in these matters. He did not feel justified on that account in doing more than referring to what appeared in public papers as to the effect which would be produced on the public balances by the scheme of the Chancellor of the Exchequer. Before sitting down he would merely repeat the expression of his regret at the indifference which his right hon. Friend showed to the value of the functions exercised by the Bank of England towards the public. He held that the Bank of England in past times had exercised the vast power which it held with great benefit to the public; and, as long as he was in the position which he happened to fill, he would do all in his power not to disparage but to make effective the services which the Bank of England had always rendered.

Mr. BARNETT said, that no one was more competent than his hon. Friend who had just sat down to set the House right as to the relative positions of the Government and the Bank of England. He only regretted that, from the delicate position which his hon. Friend occupied at present, he very properly considered his mouth stopped with respect to many matters on which the House would hear his opinion with great interest. The position of the Bank of England with respect to the balances of the Government, and the relations it held towards the public at large, were undoubtedly of a complicated nature. He quite agreed with the Chancellor of the Exchequer that it was not the business of the Government, by any manipulation of the Revenue of the country, to interfere with the ordinary course of the money market, or, as he had said, in any way "to bolster up" the Bank of England. At the same time they must all remember that the important position in which the Bank of England stood in times of commercial crisis had been most fully recognized, by the fact that within a limited period the Government had absolutely stepped in and interfered with the laws under which the business of the Bank was ordinarily carried on. That was in times of commercial panic; but then they all knew the tendency of the monetary transactions of the country to gravitate more and more towards London, and as that became the case, more and more money, as his right hon. Friend had stated, would find its way into the Bank of England. The vast balances with which the Bank of England had to deal in assisting the commercial interests by means of loans upon securities were of a two-fold nature. The balances which found their way there through the hands of the large joint-stock banks might, undoubtedly, be called for at any moment. With regard to the Government balances, there were, he presumed, periods at which, from the ordinary course of the business of the country, considerable sums might be expected to lie in the Bank of England for some little time. He had been somewhat mystified by the explanations of the Chancellor of the Exchequer with regard to those five quarters in one year that he had spoken of. It appeared to him that if they took the financial or the ordinary year, it consisted of 365 days; and if they reckoned it as including the 1st of January in one year and the 1st of January in another year, they would make their year to consist of 366 days. [The Chancellor of the Exchequer: That is exactly it.] But if they went on calculating in that way they would not only make people pay for more than eight quarters in two years, and twelve quarters in three years, but would also alarm and mystify the tax-payer, and lead him to believe that he had to pay more than he previously did. With regard to the assessed taxes, as he had briefly stated some time ago, some misapprehension existed as to the mode in which they were to be collected. The Chancellor of the Exchequer had used the word "levied," which caused people to be puzzled as between the collection and the mere demand for a tax. From some communications which he had had, he thought the public were now generally quite aware that, in point of fact, they would practically have to pay two years' assessed taxes in six months. They made a Return now for the taxes which belonged to last year. The first payment had to be made in October, then they had to take out licenses on the 1st of January for the whole of the taxes for next year; and in the course of the following April they would have again to pay the taxes for the half-year still outstanding. So that, in fact, two years' taxes would be levied in a very short time—an arrangement which, he believed, would be found exceedingly distasteful to a large part of the community. It appeared, however, that there was no possibility now of making any alteration in that proposal of the right hon. Gentleman. For himself, he wished that the right hon. Gentleman had staved off for a certain period the reduction of some duties which he thought might in due time have properly been remitted; and that by that means he had found an opportunity of making the change in their system more gradual, in order eventually to get the taxes paid during the year in which they were levied.

MR. SAMUDA said, he thought the change proposed was somewhat analogous to that which would occur if householders in this country, instead of being called upon to pay their rent at the end of the quarter, were to be suddenly called upon, as was done in France, to pay it at the beginning of the quarter, in which case they would for the rest of their lives lose one quarter. With regard to the claim to total freedom from responsibility put forward by the Chancellor of the Exchequer in respect to the state of the money market, he did not think the Government were quite entitled to make such a claim, and for this simple reason—there was a considerable degree of connection between the Government and the Bank of England, which gave the public a strong interest in seeing that it was not disturbed by sudden changes in the money market. The Bank of England had lent the whole of its capital to the Government, and the Government had allowed the Bank in return to issue £14,000,000 of notes to the public. The Bank also had authority to issue as many additional notes as it had gold in its coffers to meet, because the theory was that every Bank note that was afloat should be payable in cash on demand; but when money was scarce there was an enormous rise in discount at the Bank, and much inconvenience was caused to the commercial community. The Bank, in fact, had to operate to prevent the last of its notes issued against gold being presented for payment, for it was clear that when this point was reached the £14,000,000 issued on the credit of the Government could not be met in gold; and however certain the ultimate redemption of these notes would be—for they might be given in payment for taxes or duties—yet the actual and immediate controvertability of the note would have been endangered or lost, and immense panic and loss would follow. If the Government discharged their debt of £14,000,000 to the Bank by placing that amount of gold in the Bank, to enable it to meet an equivalent amount in notes, then the independence of the Chancellor of the Exchequer on the one side, and the independence of the Bank on the other, would be complete, and the latter body would not have to raise its rate of discount in order to check the drain upon its stock of gold, for so long as a single Bank note remained in the hands of the public, so long its equivalent in gold would be in the cellars of the Bank.

MR. HENLEY said, he would not pretend to say anything about the question as to the Bank of England, which had been so well discussed by those who were competent to do it, but he wished to go to the simple question as to the payment by the rate-payers and the time at which they would pay. A Paper had been put forth early last April by the Secretary of the Treasury, upon the authority of the Government, stating the time according to what was called the scheme of the taxes. What he wished, therefore, to know from the Chancellor of the Exchequer was whether the right hon. Gentleman thought that Bill been drawn in conformity with the Paper so put forth, and whether, if there was any doubt left as to the period at which the several taxes would be paid, he would undertake that the clauses should be so altered as to be made consistent with the Paper to which he referred. He confessed he did not think the clauses were as clear as in a matter of taxation they ought to be. The 5th clause imported into the Bill a somewhat curious provision—namely—

> "And for the purposes of this Act the year eighteeen hundred and sixty-two, mentioned in the forty-third section of the Act passed in the twenty-fifth year of Her Majesty's reign, chapter twenty-two, shall be read as deemed to mean the year eighteen hundred and sixty-nine."

That was a very obscure provision, and when they came to the clause it would be due to the House that the Government should give a full explanation of what the effect of that provision would be, for he owned that he could not exactly realize it. Then, again, the provisions of the 8th clause as to the payments were somewhat doubtful, and might be read either in consonance with the Paper issued by the Secretary of the Treasury or otherwise. He hoped the Government would take care to remove all ambiguity on that point, for, as far as he had gathered from the Budget Speech, it seemed to him that the payments were not to be made precisely in accordance with the Paper of the Secretary of the Treasury.

Mr. W. FOWLER said, that on the 12th of April he had ventured to express considerable doubt as to the effect of the Chancellor of the Exchequer's scheme on the money market, stating that he feared the right hon. Gentleman hardly appreciated the delicacy, if he might so speak, of the money market. On the 7th of May he was informed, on very high authority, that it was extremely difficult to sell Consols for money, or to raise money on Consols in the market. That only showed what oscillations and fluctuations occurred independently of the action of Chancellors of the Exchequer. The right hon. Gentleman said he was not going out of his way "to cocker up the Bank of England or any other institution." Now, he (Mr. W. Fowler) did not ask him to do anything of that kind, but he did ask him not to go out of his way to disturb the natural action of the money market. The figures showed that the proposal of the right hon. Gentleman, as set before them, would most seriously disturb the natural action of the money market in two ways, which he had indicated before, and which he would shortly refer to again. As he read the figures, nominally in January every year there would be collected £8,192,000; £4,743,000 on account of income tax, and £3,449,000 on account of land tax, house duty, and assessed taxes. He believed that was very nearly £5,000,000 more than was usually collected at that period on account of these taxes. A short time after the occurrence of this difficulty in the City, a million of money was paid out of the Bank of England into the open market, and it suddenly created a feeling of great ease, and it was very soon difficult to lend money at anything like the Bank rate from day to day; thus showing what was the effect of a single million on the money-market. The Chancellor of the Exchequer was going to draw from the country about £5,000,000 more than they had been accustomed to pay at a particular month in the year. In the present state of monetary affairs that would be a most inconvenient, and, he ventured to add, an improper arrangement. The right hon. Gentleman said the money market must take care of itself; and he told them they had set up the Bank of England as a kind of presiding deity, and they must take the consequences. He maintained that this was contrary to the fact, and that the Bank of England had attained and kept its high position because it was the bank of the Government, and had, consequently, obtained a great amount of prestige. Not that he in any way complained of this circumstance, for he was of opinion that some such institution as the Bank of England was, if not absolutely necessary, at all events extremely convenient. The Bank of England had the duty imposed upon it by its position of maintaining an adequate reserve; and in order to do so it must necessarily have at times full control over the money market. It raised the rate of discount, attracted money from abroad, and adjusted the financial condition of the country by that action which it alone could bring to bear on the market. Although the Governor of the Bank of England had stated that he did not feel bound to find money for everybody, yet it was well known that in times of difficulty the Bank did its best to support the credit of the country, and prevent disaster resulting from foolish and ignorant panic. But the right hon. Gentleman the Chancellor of the Exchequer had shown by means of the figures he had laid before the House, that the position of the Bank of England would be seriously affected at that particular period of the year when its influence was most important. The Return he was referring to showed that the Government balances would not be more than £1,500,000 at the end of September, just before the October dividends were about to be paid. Now, if a drain of bullion happened to be going on at that period, and the Government asked for £5,000,000 or £6,000,000 from the Bank, at the same time that the public were also demanding large sums, the Government would be in the position of competing with the public for the money which the Bank was able to give. That would be a most unnatural position for the Government to be placed in. The Chancellor of the Exchequer was, he thought, in error when he said that, if the money were not in the Bank of England as Government deposits, it would, nevertheless, be in the hands of the Bank of England in the shape of deposits from various bankers. If, however, the money had once left the Bank of England, no one could be at all sure that it would return, because in times of difficulty it would probably be retained by the country bankers. Times might come when the Chancellor of the Exchequer would find it not quite so easy to raise money as he seemed to anticipate. If the action of the Government were such as to create a feeling of alarm in the public mind, both the Government and the public might find it difficult to procure the money required for the purposes of the State or of trade. Under the present state of things the oscillations in the money market were rapid, peculiar, and difficult to account for, and it would be highly undesirable to pass an Act of Parliament which would have the effect of aggravating those oscillations. The natural result of this Bill would be to materially increase them, and to render them more dangerous and less easy to adjust. The Bank of England was the only bank in the country which kept a very large reserve. It appeared from the Returns, that on the 31st of December last the reserve of the Bank of England was at least treble that of the best conducted bank, the Returns of which are published. This was due to the peculiar position of the Bank as having a control over the credit of the whole country, and it would be absurd for the Government or anyone else to ignore this fact. He trusted the Chancellor of the Exchequer would give this subject very anxious consideration, for he could assure the right hon. Gentleman that his somewhat airy way of treating it had not been regarded as altogether worthy of that very high position he held in the opinion of that House and of all intelligent men. There would, he hoped, be some change introduced into the scheme of the Government with the view of preventing any aggravation of those dangerous oscillations which now occurred in the money market.

MR. SCOURFIELD regarded, not without alarm, the fact that this debate turned so much upon borrowing. In reference to borrowing, nothing that could be done would get over the fact of the proportion between the number of those who had money to lend, and those who wanted to borrow it. In his opinion, the Government ought not to abandon sources of Revenue rashly; and he thought that some of the Revenue proposed to be abandoned by this Budget might have been wisely retained, at least for the year. He could not help thinking that the duty of £900,000 a year had been given up in deference to a sentimental feeling on the subject. Then again, a sentimental feeling had a great deal to do with the abolition of the duty on fire insurances. That duty had been described as a "tax on providence"; but if the hon. Gentleman (Mr. H. B. Sheridan), who so long and so ably advocated its reduction, had stated in the first instance, what he did subsequently, the feeling on the subject might have been very different, for on one occasion the hon. Gentleman had actually asserted that the plan of fire insurance was simply a system of betting, the office betting that the property insured would not be burned down. In his opinion it would have been expedient to adjust the house duty when it was determined to surrender the duty on fire insurances. No one could examine the Return which had been presented to the House without being struck with the small amount of Revenue produced by the duty on houses in England; and he for one could see no reason why the sum lost by the abolition of the fire insurance duty might not have been recovered by some adjustment of the house duty. Indeed he had always been of opinion that the franchise had better have been based on the inhabited house duty instead of the rates; but, of course this was not a matter to be discussed on the present occasion. In conclusion, he expressed his belief that there was no effectual method of adjusting the difficulty which was looming on the horizon, except by having an amount of Revenue derived from Customs or taxes equal to our expenditure. If that balance were not maintained, he had no faith whatever in any contrivance for extending the area of borrowing.

MR. MORLEY said, he should support the Chancellor of the Exchequer in his determination to be independent of the Bank of England. The Bank was nothing more than a very large and admirable joint-stock company, its object being to provide for its proprietors their regular half-yearly dividend. On behalf, not of the banking interest, but of the trading interest, he ventured to express the opinion that the trade of the country was exposed, by the present system, to such oscillations and variations, not only of the rate of discount, but in the pressure of the money market, as to deserve the attention of the House. Sir John Lubbock, the honorary secretary of the London Bankers' Association, inserted in *The Times* of the 8th of May a letter in which he stated that the amount which passed through the Clearing House during the year ending in that week was £3,534,000,000 sterling. Again, Lord Overstone had stated that we were adding £150,000,000 to our capital every year. Yet we are told by hon. Members that the withholding or withdrawal of a very few millions from the Bank of England by the Government would put the trade of the country into a state of paralysis. His hon. Friend the Member for Cambridge (Mr. W. Fowler) had stated that on the 7th of May Consols could not be sold in the market. Money on that day was nearly double the price it was a month or six weeks before, and orders were cancelled by post, owing, he believed, to the fear of impending panic, which led to thousands of operatives being placed on short work. No commodity, in fact, changed in value more rapidly than money, but although the Bank of France had discounted to the extent of £7,000,000 in a single week, no confusion had, as a consequence, been created in the money market. He felt sure, however, his hon. Friend the Member for London (Mr. Crawford) would admit that if a demand for £7,000,000 were made on the Bank of England a rise in the rate of discount probably to the extent of 1 or 2 per cent would be the immediate result, to the great embarrassment of the trading and manufacturing classes. The subject was, in his opinion, a far larger one than was indicated by the speech of the Chancellor of the Exchequer. Our present monetary system was, he believed, the laughing stock of every money market in Europe, and ought to be grappled with. As one who had for years watched the course of trade in this country, he must say that he looked upon the whole tendency of our money system as being to throw trade into fewer hands. The small traders were every year being absorbed, and he was glad that attention had been directed to the subject, because he felt satisfied that in the existing state of things there was something essentially wrong. He would, if he might be allowed to do so, advise the Chancellor of the Exchequer to look to the general money-market, and not to the Bank of England only, when he might have occasion to borrow.

MR. ALDERMAN SALOMONS said, the natural result of discussions such as the present must be the creation of a feeling out-of-doors that differences of some importance existed between the Chancellor of the Exchequer and the Bank of England. He hoped, however, that such was not the case, and he rose mainly for the purpose of seeking to impress upon the right hon. Gentleman the expediency of acting in accordance with the familiar notion, that those who had been so long associated together to each other's mutual advantage and support ought not to be very suddenly divorced. Whatever differences therefore there might be between the Chancellor of the Exchequer and the Bank would, he trusted, speedily disappear. [MR. CRAWFORD: There are no differences.] He was glad to hear it, because, as two independent bodies working harmoniously together, their joint action had hitherto been of great service to the public interests. In reply to the observations of the hon. Member for Cambridge (Mr. W. Fowler) he would say that a considerable portion of the reserve of the Bank of England may be considered as the reserve of other bankers, who kept it there for the ready use of their depositors when they required it rather than keep it locked up in their own safes, while as to the £7,000,000 which was spoken of by his hon. Friend the Member for Bristol (Mr. Morley) as having been discounted by the Bank of France in one week, he would simply say that that amount had never gone out of the Bank at all, the whole transaction being one connected with the subscriptions to the loan for the City of Paris, for which a deposit had to be made by the subscribers to that loan, and might be described as a simple transference from one side of their ledger to the other. As to the London money market, he did not, he might add, think there was any good ground for apprehending any sinister results from the change in the mode of collecting the taxes which the Government proposed. The manner in which the change would operate would be anticipated, and there need be no fear of a panic; because arrangements could be made just in the same way as they were made by large commercial firms for the payment of their bills in succession, without any apprehension that they would not have the means of providing for them. Much, however, must, under the circumstances, depend on the maintenance of a good understanding between the Bank and the Chancellor of the Exchequer, and the absence of any feeling on either side as to not caring what the other might do. The Chancellor of the Exchequer had, he thought, not explained as fully as he might that, in the payment of the dividends by the Bank, there was merely a transference from the account of the Government to private deposits. Those who watched the accounts of the Bank of England during the week succeeding the payment of the dividends must have observed that, although the public deposits had undergone a considerable diminution, the private deposits, on the other hand, increased.

MR. POLLARD-URQUHART said, he was of opinion that although those who possessed large fixed incomes, as well as professional men whose business brought them in considerable amounts, might not feel that the collection of the whole of the income tax on the 1st of January pressed very heavily upon them, it would be found to be otherwise with struggling professional men, and those who owed their salaries before they received them, or were in the habit of paying away their money as fast as they got it. The latter class, indeed, would be in a somewhat similar position to the compound-householders, in whose case it had been so strongly urged in the discussions on the Reform Bill that they would not find it easy to pay their rates otherwise than in weekly or monthly instalments. He was afraid therefore that the new mode of collecting the income tax would become so unpopular with the class of persons to whom he was referring that it would render the continuance of the tax itself a matter of much greater difficulty than it was desirable to make it. As to the effect of the change proposed by the Chancellor of the Exchequer on the money market, he must say, it appeared to him that panics in that quarter were caused not so much by expected as by unexpected payments, and that that disarrangement, which some hon. Gentlemen seemed to apprehend, would not ensue when the whole of the operations which it was thought would lead to it were foreseen, and matters were adjusted in accordance with the new state of things. He was also of opinion that there was much weight in the argument of the Chancellor of the Exchequer, that if the deposits of the Government were high at the beginning of the year, and low in the last quarter of the year, the deposits of bankers with the Bank of England—seeing that their customers would draw from their balances at the former period to pay the income tax, and let them accumulate at the latter period to meet the approaching demands of the tax-gatherer—would be exactly the contrary. Putting these two considerations aside he did not apprehend much derangement of the money market; and, on the whole, he thought that the country had much reason to be grateful to the Chancellor of the Exchequer.

MR. ALDERMAN LUSK approved of the course which the Chancellor of the Exchequer had pursued; but he should have been better pleased if that discussion had turned more upon the Budget itself and less upon the Bank of England. They should look rather to the improvement in the mode of collecting taxes than to the effect it would produce upon the Bank of England. Let the people know what they had to pay and pay it at once. The plan proposed by the Chancellor of the Exchequer would put an end, to the public advantage, of the credit system in respect to the payment of taxes—a system which he (Mr. Lusk) considered was bad in principle. It was said that the new mode of collection would not be a convenient one. He never knew a system of tax-paying which was convenient. In his opinion there would be no difficulty in the plan proposed, and there need be no alarm at deranging the money market in consequence. Why should the Government keep a large balance at the Bank of England any more than anybody else? He had not the least sympathy with the gentlemen of the Stock Exchange and money market; they were all sharp, clever men and might be left to take care of themselves, which they would do, and let the Government take care of itself.

Mr. NORWOOD said, he entirely concurred with what had fallen from his hon. Friend the Member for Bristol, and although he did not like the Budget as a whole, still he approved the independent position which the right hon. Gentleman the Chancellor of the Exchequer had assumed in reference to the Bank of England. Indeed, the right hon. Gentleman had done good service by putting before the public in its true light the position of the Bank of England in relation to the Government. There seemed to be a strange superstition—among even those whom one might expect to find better informed—with respect to the functions, the power, and influence of the Bank of England. The fact was, it was simply a large joint-stock bank, enjoying the privilege of keeping the Government accounts. He thought it was the duty of the Bank to manage its affairs solely on business principles. The commercial public had no right to look to the Bank for any special facilities, and when asked to assist this or that firm, or the Government, it must be expected to do so with regard to its own interest, and not for any other object. As to the position of the British money market, it was a disgrace to the country. In France there was a moderate and equable rate of discount, but here the rate was subject to great fluctuations, which occasioned much inconvenience and injury to the public generally. He trusted that the Chancellor of the Exchequer would be in Office during the next great panic, and would then be firm enough to withstand the pressure put upon him by the larger banking institutions. Every six or seven years there was a collapse of credit in this country. Small firms had to succumb by hundreds, but when the larger ones became in jeopardy application is made to Government, and under pressure from the large monied interests, which by their operations had probably contributed largely to bring about this collapse, the Bank Charter Act of 1844 had three times been suspended. Now if it was worth being the law at all this Act should remain the law at all times, and he repeated his hope that the Chancellor of the Exchequer would be in Office in 1874 and 1875, and would have sufficient firmness to tell the large banking and financial firms that it was their business to husband their resources and provide sufficient means with which to meet their liabilities, and that the law which pressed upon the smaller traders should apply equally to the larger ones.

Mr. J. B. SMITH said, he thought the system of Government borrowing money at the Bank ought to be discontinued. The right hon. Gentleman, in order to obviate borrowing, proposed to manipulate the funds of the savings banks. Now, that appeared to him a most objectionable principle. The duty of the Government, when these funds were placed in its hands, was to invest them, and not job with them, which, in past times, had resulted in the loss of millions. He should support the right hon. Gentleman in his Budget, and he agreed with him in his remark that the money market might take care of itself, at the same time he was disposed to think that the plan proposed by the Chancellor of the Exchequer of collecting the Revenue might cause some inconvenience, so long as the system existed by which the export of a million or two of gold caused a derangement of the money market; but, if such inconvenience occurred, it might serve to solve a problem which rather puzzled them at present, and that was why the London money market should be the most sensitive money-market in the world. The hon.

Member for Bristol (Mr. Morley) had told them that the monetary transactions of London amounted last year to £3,534,000,000. They all knew that not a farthing of these enormous payments were made in money, but by transfers. But when they considered that at that time the whole amount of cash on hand in the Bank of England was only about £8,000,000, that this sum included the reserves of all the banks in London holding deposits, in the aggregate, amounting probably to £100,000,000, and that this was the narrow basis on which these enormous transactions rested, the reason for the constant fluctuations in the money market was apparent. Neither the Bank of England nor the joint-stock banks kept adequate reserves, and there could be no safety for merchants and traders till this practice was reversed. The present system was somewhat analogous to a pyramid resting on its apex instead of its base. He should support the Chancellor of the Exchequer with all his heart, because he thought his measures calculated to solve the problem to which he had referred, and to lead to a remedy for the evils so generally complained of.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Grants of duties of customs in Schedule (A).

MR. VANCE asked, on behalf of certain dealers, that foreign spirits might be removed from Customs' to Excise warehouses or to private bonded warehouses, just as British spirits might now be removed under bond from Excise to Customs' warehouses. He (Mr. Vance) understood that the Commissioners of Inland Revenue had recommended such a course.

THE CHANCELLOR OF THE EXCHEQUER said, that the matter was under the consideration of the Government, and he did not think there would be any difficulty in complying with this request.

Clause *agreed to.*

Clauses 2 and 3 *agreed to.*

Clause 4 (Repeal of duties on corn, &c.).

MR. BARNETT observed that large consignments of grain, which probably would not be landed or interfered with before the 1st of June, were daily expected to arrive in this country, and the importers were anxious that some words should be introduced into the clause making those cargoes not chargeable with duty if they were not landed before that date. It would be a great benefit to them without any loss to the Revenue.

MR. CRAWFORD said, there was a strong feeling throughout the country on this point. Cargoes of grain were arriving earlier than had been anticipated, owing to the prevalence of favourable winds, and he thought it was not unreasonable to ask that all cargoes imported after to-day should not be subject to the 1*s.* duty. It had been the practice for the remission of duties to take effect on the Resolutions relating to them being reported; but in the present instance that custom had been departed from, because, if the scheme of the Chancellor of the Exchequer were not accepted in its entirety, the duty on corn must remain unrepealed. As there was no fear that the financial scheme would not be accepted in its entirety, he would ask whether there could be any difficulty in allowing corn imported to-morrow to be entered free of duty? He had received a great many of the principal representations on this subject from dealers in Mark Lane, and in order to bring the matter to a practical test, he would move, as an Amendment, that the date of the 28th of May be substituted for that of the 1st of June, as the period when the collection of the corn duty should cease.

MR. ALDERMAN LUSK thought that such an Amendment was unnecessary, inasmuch as the object sought for by the hon. Member for London, if it was worth the trouble, could be easily attained by keeping the ships outside the port of London, and postponing the entering of those cargoes until the 1st of June.

MR. CRAWFORD referred to the reply of the Commissioners of Customs to an application for the remission of those duties, for the purpose of showing that, even though the cargoes were not discharged before the 1st of June, they would be still liable to duty.

MR. STANSFELD said, there must be a hard and fast line somewhere, and the Government made it the 1st of June. He had not heard any good argument in favour of the proposed Amendment. It hardly seemed a sufficient reason for its adoption that a certain number of owners of cargoes of grain might be enabled to make a profit by the change of the date.

Mr. PIM said, the difficulty was this— One vessel might arrive on the 31st of May and the other on the 1st of June, and they might be both discharging at the same time, and yet the cargo of one might be subject to duty and the other not. He suggested that words might be introduced into the clause making corn discharged after the 1st of June free of duty.

The CHANCELLOR of the EXCHEQUER said, he gave an undertaking to the hon. Member for London that all corn imported on and after the 1st of June should be free. The question was what those words meant. They must be interpreted according to the subject-matter. What was the meaning, then, of "imported?" It must be entering the port. He declined to accede to the Amendment.

Mr. RATHBONE appealed to the Chancellor of the Exchequer not to levy the duty on cargoes which arrived, but were not delivered, as the clause would operate hardly on those cargoes arrived just before, but whose owners were not able to land them until after the 1st of June. He hoped that the Chancellor of the Exchequer would not spoil his liberal proposition by refusing to grant this small favour.

Mr. CANDLISH said, the line must be drawn somewhere, and the whole trade had been adapting itself to the 1st of June. The reason given for the Amendment was because a favourable wind brought a ship unexpectedly early the duty should be remitted; but that early arrival brought the corn to market and realized its proceeds at an earlier date, and therefore the owners got compensation for any small amount of duty they might have to pay. No case had been made out for the Amendment, so he should support the Bill.

Mr. Alderman LUSK said, he had visited Mark Lane recently, and the people there seemed to be perfectly satisfied with the proposal of the Chancellor of the Exchequer. He was often astonished to hear things mentioned in the House which were never heard of out of the House.

Amendment *negatived.*

Clause *ordered* to stand part of the Bill.

Clause 5 (Grant of duties of income tax specified in Schedule (B).

Mr. STANSFELD stated, in reply to a question put by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), in the early part of the evening, as to the meaning of the words at the conclusion of the clause, that for the purposes of this Act 1862 should be read as 1869, that the object was to rectify a defect that had arisen in consequence of the Income Tax Act having expired on the 5th April last. Between that date and the enactment of this Bill certain dividends would become due and payable, from which it would be impossible to make the income tax deductions, and the insertion of the above words would enable the deductions to be made at a subsequent period.

Mr. HENLEY said, he understood the effect would be to incorporate the clause referred to in the Act 25 *Vict.*, c. 22, into this Act. That certainly might have been done in a more simple way.

Clause *ordered* to stand part of the Bill.

Clauses 6 and 7 *agreed to.*

Clause 8, (Repeal of provisions requiring land tax, inhabited house duty, and certain duties of income tax to be paid quarterly).

Mr. CRAWFORD called attention to the wording of the clause—

> "And the duties of income tax except such as are payable by way of deduction, or are assessable as aforesaid, assessed in England or Ireland for the year commencing and ending as last mentioned, shall be payable on or before the first day of January,"

which was inconsistent with the right hon. Gentleman's statement, and the Paper issued by the Secretary to the Treasury, that the payments should be after the 1st of January. The next clause provided that the collectors should pay over their receipts on a day named after the 1st of January.

Mr. STANSFELD said, the inconsistency was apparent. The wording of the clause was the usual one adopted in such cases, and was quite in accordance with the statement of his right hon. Friend. The payments must be made "on or before," and not "on and after." The payments would be obligatory on the day, but optional before it. With regard to the payment of the collections, the officers could not be called upon to pay them over until a day after that appointed for receiving them.

MR. HENLEY put the case of the assessment for 1870-1, and asked on what 1st of January it would be payable. According to the Paper put forward by the Secretary of the Treasury, it would be payable on the 1st of January, 1871. He thought some words might be introduced to remove all doubt.

MR. STANSFELD said, the income tax of 1870-1 would be payable on the 1st of January, 1871.

Clause *ordered* to stand part of the Bill.

Clauses 9 and 10 *agreed to.*

Clause 11 (Repeal of the percentage duty on fire insurances).

MR. READ said, he entirely approved the clause, but called attention to the great hardship of a number of trifling and insignificant taxes levied in the shape of stamps on insurances of crops and cattle. There were four associations for the insurance of crops against hailstorms, and the duties paid on these insurances in 1867 produced £296, and in 1868, £244. Three of the associations were in the country and one in London. It was found necessary to keep an immense number of stamps. which varied in value from 3*d.* to £2 and £3; and one policy sometimes bore six or eight stamps. On the policy he took up to-day the duty was only 1*s.* 9*d.*, and yet three stamps were put on it. In case of any mistake of the clerk arising from affixing an insufficient stamp there was a penalty of £20 on the secretary and a like sum on the three directors who signed the policy. There was another trifling tax levied on cattle insurance. The only solvent society which existed in East Anglia that granted policies of insurance on cattle was in Norwich, and it paid the year before last £58 in the shape of small stamps, and in 1868, only £33. He thought this a most vexatious system, which he respectfully suggested to the Chancellor of the Exchequer should be abolished, and some universal policy stamp, such as he believed they were going to have for fire insurances, adopted in its stead.

THE CHANCELLOR OF THE EXCHEQUER said, he thought the subject which the hon. Gentleman had introduced was very well worth consideration. He hoped he would be content with having brought it forward. He would make inquiries respecting it.

Clause *agreed to.*

Clauses 12 to 17, inclusive, *agreed to.*

Clause 18 (Provisions and regulations to be observed).

MR. READ moved an Amendment to exempt boys under sixteen years of age from the male servant duty. They had a very pleasant discussion on the point before the Recess, but he thought the decision of the House upon it rather arbitrary. He hoped the Chancellor of the Exchequer would have compassion on these boys and exempt them from the tax; if not he felt convinced that it would have a prejudicial effect on their industrial training. It was a tax that ought only to apply to skilled labour, and it could not be said that skilled labour could be had from a boy of sixteen. This was a tax of the worst kind that could be placed on technical education. It was unusual to tax a horse until he was broken into work, and as a boy was about as troublesome and mischievous a thing as they could have on their premises, nothing further ought to be done to induce people to get rid of them.

Amendment proposed, in line 31, after the word "viz.," to insert the words "for any male servant under sixteen years of age."—(*Mr. Clare Sewell Read.*)

MR. STANSFELD said, that the question lay in a small compass, and the House had declared in favour of a policy of simplicity and uniformity of charge, which could be accomplished without unfairness. The charge for male servants had been reduced, and, so far from causing a failure in the supply of servants, he believed the result would be to make the charge for the employment of servants less onerous than before.

MR. HENLEY said, he wished that the Government had been able to accede to the proposal of his hon. Friend,. He was old enough to recollect the state of the law under the old system, when people almost in the situation of costermongers, who kept a horse for the purposes of their trade, were brought before the Commissioners upon surcharges, because some boy took the horse out and put him in the stable, and thus became liable to the duty. This was not now a question of an appeal to the Commissioners, but the Bill laid down a hard and fast Excise penalty of £20, to be recovered before the magistrates, who must convict. In many cases women were obliged to keep a pony for the purposes of their trade, and if a son took the pony out of the trap or put him back into the stable he might be called a servant. The magistrates must convict in the penalty of £20, without exercising any discretion as to the amount. He remembered the misery ad trouble which these cases used to cause when they were brought before the Commissioners. He should have been glad if the Chancellor of the Exchequer had seen fit to relieve all trade horses from duty, because then these cases would not arise. The right hon. Gentleman said that this license would not apply unless the relation of master and servant existed; but the wording of the old Act had been preserved, and if a lad were employed wholly or partially he was to be taxed. In cases when the parties used to be brought before the Commissioners no costs were incurred, but now there must be a complaint and summons; the parties would be brought from their businesses, and the clerks to the magistrates must be paid their costs, amounting to 8*s*. or 10s. The clause, as it stood, was certain to create much dissatisfaction and inconvenience.

Mr. CRAWFORD said, the real definition of a servant was a person who received wages, either in money, clothes, or victuals, or all of them. A son occasionally assisting a parent—such as the son of a gentleman's coachman doing any act to assist his father—would not constitute him a servant liable to this tax.

Mr. HAMBRO believed that the proposal to levy a tax on lads employed as servants would be severally felt by the agricultural class. Farmers now employed the sons of their carters and other labourers almost out of charity; but if they had to pay 15*s*. a year tax for each of those boys, they would cease to employ them to the same extent.

Mr. DENT said that a good deal of the hardship would be got rid of if the charge for all male servants were reduced to 10*s*. 6*d*. There was a precedent for making the reduction, as horses and mules, now taxed at 10*s*. 6*d*., were formerly charged £1 1*s*.

Mr. Alderman LUSK deprecated any attempt to throw temptation in the way of the poor by offering them inducements to understate the ages of young lads. He did not consider that persons, once they were able to keep horses and stable boys, could properly fall under the denomination of the poor, and the additional taxation could make really little difference to them.

Mr. STANSFELD reminded the Committee that there was not at present any exemption from taxation in favour of servants under a certain age, and that the proposition was therefore novel in its character. He pointed out to the right hon. Gentleman opposite (Mr. Henley) that the wording of the clause was dominated by the words "male servant," which conveyed that there should be something to establish the relation of master and servant before liability to the charge would accrue.

Mr. HENLEY: Are we to understand that the relation of master and servant is to exist? [Mr. Stansfeld: Yes.] Because the words were similar to those in the old tax Acts, and the words had been so construed. A boy was employed once a week to take a horse out of a cart, for which he was paid 6*d*., and this was held to constitute the taxable relation of master and servant. If, as the hon. Gentleman said, the relation of master and servant must antecedently exist, he was afraid that the difficulty would increase. Great difficulty often occurred in the courts of law in determining the relation of master and servant in charges of embezzlement. He admitted the pleasure to the eye of uniformity; but he appealed to the Government not to persist in proposals which must be productive of dissatisfaction, heartburnings, and oppression, for the sake merely of obtaining a revenue which, he believed, would turn out to be worthless. He hoped that the tax at all events would not be imposed in the case of the poor boys occasionally employed about a horse and cart.

Mr. READ said, that in all schemes of taxation there were exemptions. Such was the case with dogs, carriages, and horses; and, unless exemptions were adopted in the case of servants, there would be great difficulty in young lads finding masters who would be bothered with them. There were boys employed in farm stables receiving training for better situations, but who would not be retained under a charge of 15*s.*

Question put, "That those words be there inserted."

The Committee *divided:* — Ayes 28; Noes 57: Majority 29.

On Motion of Mr. Stansfeld, an Amendment was inserted, taking away the exemption of persons letting carriages and horses from taking out licenses for any servant "employed to drive a carriage with any horse, let to hire for any period exceeding twenty-eight days."

Mr. BONHAM-CARTER asked whether the words "used solely" would have the same signification as "kept for use" in the enactments exempting from duty carriages employed only in trade or husbandry; and whether the occasional use of such carriages in drawing coals would prevent the exemption from operating?

Mr. STANSFELD replied that waggons used for purposes of husbandry would not become liable for duty if employed in drawing coals.

Mr. W. H. SMITH pointed out that the payment of the duty was shifted from persons hiring horses to those who let them for hire, which he thought would create some difficulty; because a jobber might have several horses standing in his stable belonging to other persons, and he would be continually called upon to account for the difference between the Return he made and the number he had in the stables. Formerly the practice was to charge the person who hired them with the duty, and not the jobber.

Mr. HUNT asked whether the right hon. Gentleman would have any objection to issue licenses for three or six months, instead of compelling them to be taken out for the whole year?

The CHANCELLOR of the EXCHEQUER said, that the proposal of the right hon. Gentleman was totally at variance with the spirit of the Bill, and therefore he could not assent to it.

Mr. STANSFELD failed to see the force of the objection made by the hon. Member for Westminster (Mr. Smith) to charging persons who let horses for hire with the duty.

Mr. Alderman W. LAWRENCE said, the proposed uniform tax of 10*s.* 6*d.* for keeping a horse while it would benefit the rich man, who now paid £1 1*s*, and would not add anything to the tax now paid by a farmer, would operate harshly towards that large class of persons who kept ponies not for pleasure, but for the purpose of carrying on their business. At present they paid a tax of 5*s.* 3*d.*, but under the proposed uniform system they would have to pay 10*s.* 6*d.* They felt it difficult to pay even 5*s.* 3*d.* A clause had been inserted to continue the exemption in favour of the horses employed by market gardeners, but no fewer than 24,300 horses, each one of which, he presumed, had a separate owner, would be charged with the increase to which he had referred. As these horses were generally under 13 hands high, and were employed by poor persons who could barely make a living, he hoped the Chancellor of the Exchequer would exempt them altogether by remitting the duty on horses under 13 hands high. The hon. Gentleman concluded by moving the omission of the words "or pony."

The CHANCELLOR of the EXCHEQUER said, he could not assent to the Amendment. The matter had already been fully discussed, and a decision had been come to on it before the hon. Gentleman moved his Amendment.

Mr. HUNT said, he thought that even if the Amendment of the hon. Gentleman were adopted the animals to which he had referred would be included in the term "horses." He regretted, however, that the Chancellor of the Exchequer had not exempted all horses engaged in trade and charged £1 1*s.* on all horses used for pleasure.

Mr. Alderman W. LAWRENCE said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. WELBY thanked the right hon. Gentleman the Chancellor of the Exchequer for the concession which he had made in an earlier part of the evening respecting brood mares. He wished, however, to state why he thought it desirable that, so far from imposing additional taxation upon brood mares, it was well worthy the consideration of the Government whether they should not afford some direct encouragement in this quarter. It was only recently that he had some conversation with perhaps the best authority on this subject — Mr. Phillips, the well-known horse-dealer of Knightsbridge. Of late years, many thousands of our most serviceable mares had been sent abroad, and the consequence was, that whereas formerly all our cavalry regiments were mounted on English horses, at present that was not the case, even with a single regiment. We were obliged to go to Ireland in order to obtain them, and, as the supply there was necessarily limited, the cavalry horses, instead of being 4-yr-olds, as required by the regulations of the service, were frequently 3-yr-olds, and in some cases, even 2-yr-olds. Mr. Phillips, as a proof of the injury which this constant exportation had caused, stated that, having to purchase thirty detachment horses, he visited Northallerton Fair, where he could easily have procured, some years ago, sixty or seventy such horses as those he required, but he was only able to purchase three. Ten years ago he executed a contract to send eighty post mares to Italy, at £45 a-piece for Prince Humbert, but he found himself utterly unable to get twenty of the same class this year for the King of the Belgians at £60 a-piece. In the same manner, he believed that three-fourths of the carriage horses of London were no longer bred in England, but were imported from Germany. Such a state of things was highly unsatisfactory, and it was perfectly conceivable, and under some circumstances, might become injurious to the interests of the country. He was inclined to think that the £1,200 annually given in Queen's Plates might be better employed if devoted to premiums on breeding horses in the country, or to subsidies such as those given in France. If at any time, too, the Chancellor of the Exchequer should be in want of money he would venture to suggest that the right hon. Gentleman should institute an inquiry into the subject and, if the exportation of horses were carried on to anything like the extent that it had been represented to him, he should place an export duty of, say, £5 on each horse sent abroad. The result would be, either that a large sum of money would be brought into the Exchequer, or that many horses which would otherwise have gone abroad would be kept at home. He proposed the insertion of words exempting from taxation, under this clause, horses kept for the purpose of breeding.

Amendment *agreed to.*

Mr. CHARLEY expressed a hope that the Chancellor of the Exchequer would still further extend his concessions to London cab-drivers, and not impose the tax inserted in the Bill—a tax which was now, for the first time for many years, imposed upon that body.

The CHANCELLOR of the EXCHEQUER remarked that, although the tax was new as regarded its form, the cab-drivers had no reason to complain, as by the removal of the duty on their licenses they had already been enormously relieved.

Mr. READ asked what was to be the duty on race horses?

The CHANCELLOR of the EXCHEQUER: £3 17*s.*

Clause *agreed to.*

Clause 19 (Notice to be affixed on or near the church door as to duties and declarations under this Act).

Mr. HENLEY complained of the hardship which would frequently be imposed upon people in consequence of their having to send for the forms in which they were to make these declarations, especially when it was remembered that a neglect in so doing rendered the person failing to fill up the forms liable to a penalty of £20. Looking at the carelessness of people generally, and the fact that notices posted on church doors very often failed to come to the knowledge of those whom they concerned, it would be much better that these forms should be distributed as they were at present, by the officers of the Revenue.

The CHANCELLOR of the EXCHEQUER replied, that these duties now becoming licenses of the Excise would henceforth be treated as all other licenses of the Excise were treated; and the experience of those concerned in this subject led them to believe that the mode suggested in the Bill was the best one. There would be no difficulty in obtaining the forms, and it was not the practice to proceed with severity against those who were remiss, the general practice being to warn instead of prosecuting those who were inattentive. It was, moreover, in the power of the magistrates to remit three-fourths of the fine inflicted, while the Excise also had power, when it was thought fit to do so, to remit the whole of the penalty. There was no occasion to apprehend any vexation. The Inland Revenue acted favourably; they paid costs if defeated, and did not get them if they succeeded.

Clause *agreed to.*

Clauses 20 and 21 *agreed to.*

Clause 22 (Additional declaration to be made, and further duties paid when required).

MR. SCOURFIELD said, that it would require a person to make a declaration of the weight of a carriage of which he might become possessed, and it was a point on which it was difficult to get accurate information, because a coach-builder was hardly to be relied upon in such a matter, and in the part of the country where he lived weighing machines by which you could test the weight of a carriage were far removed from each other.

MR. NEVILLE-GRENVILLE said, the difficulty was easily got over by declaring that a carriage did not weigh less than 4 cwt., and he did not believe that any four-wheeled carriage did.

Clause *agreed to.*

Clause 23 *agreed to.*

Clause 24 (Penalty for neglect to deliver declaration, or for delivering an untrue declaration).

MR. HENLEY suggested that the magistrates should have power to reduce the penalty.

MR. STANSFELD said, they had power to do so now.

MR. MUNTZ urged that it would be better to introduce the words "not exceeding" before £20, to save the trouble and delay there must be in obtaining a mitigation of the penalty, and that the vindication of the law and the interests of the Revenue would be best promoted by giving magistrates discretion to impose a lower penalty in the first instance.

Clause *agreed to.*

Clause 25 *agreed to.*

Clause 26 (Penalty for not taking out licenses).

MR. HENLEY said, he thought the wording of the clause was liable to misconstruction. It required that a person should take out a license before he engaged a servant. He apprehended this could not be intended, and hoped some alterations would be made, so that a person would not be liable to penalties if he happened to engage a servant before taking out a license.

MR. STANSFELD said, he believed the case was met by Clause 23, which provided that a special notice should be served, and if the law was not complied with within fourteen days from the serving of the notice, then the penalties would follow.

MR. HENLEY thought the two courses would be open to the Commissioners if the clause were left unamended.

THE CHANCELLOR OF THE EXCHEQUER promised to consider the matter, and state the conclusion he had come to on bringing up the Report.

MR. GOURLEY thought that the whole subject of penalties should be reconsidered. He recommended that the magistrates should have discretion given them as to the amount of the fine to be imposed; it would work inconveniently if they were obliged to inflict a high penalty or nothing.

THE CHANCELLOR OF THE EXCHEQUER said, the magistrates had a discretion, and could mitigate the penalty to three-fourths.

MR. NEVILLE-GRENVILLE said, that three-fourths of the penalty would be utter ruin to some.

THE CHANCELLOR OF THE EXCHEQUER replied that in such a case the Exchequer could remit the rest.

MR. HENLEY said, experience proved that with high penalties convictions were with difficulty obtained, because in such cases persons took peculiar views of the weight of evidence.

THE CHANCELLOR OF THE EXCHEQUER said, the question was a proper one for consideration as a whole, but it would be most inconvenient to have two systems in work at the same time, one dealing with one sort of tax and the other with another.

MR. MUNTZ observed, with reference to the remission of fines, that the other day he was compelled to fine a man £20, and the Excise officer assured him that it was impossible to remit more than three-fourths of the penalty; the offender had consequently to pay the £5.

Clause *agreed to.*

Clauses 28 to 35, inclusive, *agreed to.*

Clause 36 (Provision as to certain shepherds' dogs with reference to 30 *Vict.* c. 5.).

Mr. READ proposed the omission of the proviso with a view to insure that a license for a shepherd's dog should be paid by the master and not by the shepherd. It was unreasonable to oblige the shepherd's name and not the master's to appear on the license. The late Chancellor of the Exchequer had described this as a tax upon the land, and he wished the tax to fall in that direction rather than on the servant.

Mr. STANSFELD said, the late Chancellor of the Exchequer had placed the tax upon the shepherd, while this Act proposed to place it on the master. The proviso was necessary for this purpose.

Mr. HENLEY said, it appeared to him that, if the master paid the duty for the dog, it ought to stand in his name; otherwise the master might have to pay two duties for one service. Suppose a shepherd hanged himself, or enlisted for a soldier, the master would have to get another shepherd, who would bring another dog, and the master, who had already paid for Jack Smith's dog, would have to pay over again for Tom Jones's to a dead certainty.

Mr. STANSFELD said, that the dog belonged to the shepherd, and the object was to relieve the shepherd from a liability to which he would otherwise be subject. The master, on hiring a shepherd, would inquire whether he had already obtained a licence; if not, the master would have to pay for it.

Mr. HENLEY said, the consequence would be that a master would have to pay for a dog whether his shepherd needed one or not. ["Oh, oh!"] The right hon. Gentlemen shook his head; but, whatever might be the case in wide and unenclosed lands, yet in districts where the enclosures were numerous the masters preferred that the shepherd should do his work without a dog.

Colonel SYKES said, that in Scotland, where the sheep were kept in the hills and great open spaces, it would be impossible to do without the aid of a dog, and it would be intolerable to make the shepherds pay for it while doing the work of their master.

The CHANCELLOR of the EXCHEQUER said, that if this proviso were struck out and the dog entered in the master's name, then if the master turned the shepherd away he would keep the license, and the shepherd would have to pay the duty again for the same dog.

Clause, as amended, *agreed to.*

Clause 37 *agreed to.*

New clauses brought up.

Mr. CHARLEY asked the Chancellor of the Exchequer whether he had kindly considered the Memorial which he had communicated to him from the six-day cabmen in London. There were about 40,000 persons interested in cabs in London, of whom about 10,000 were cabmen. Six-day cabs now numbered from one-third to one-half of all the cabs that were employed in London. The cab-masters and men were very grateful for what the right hon. Gentleman had done for them, but they thought that the conferring of one benefit upon them was no reason for depriving them of another great benefit which they enjoyed at present. In 1853 an Act was passed which reduced the uniform weekly duty of 10*s.* upon all cabs to 7*s.* a week upon seven-day cabs and 6*s.* a week upon six-day cabs. As recently as 1866 the Legislature imposed a fine of £5 upon every driver not being the owner, and of £10 upon every driver being the owner of a six-day cab who plyed for hire with it on Sunday. The Legislature had thrown a protection around the six-day cabman, which the right hon. Gentleman by the 37th clause would deprive him of, and then the six-day cabman could not be sure that he would have the Sunday rest. His master might say that if he rested on Sunday he would not have him on Monday, or that he must pay as much as if he had gone out on that day. Let the right hon. Gentleman consider the condition of the cabman, exposed to all kinds of weathers on the box of his cab, sitting for hours in a damp great coat, obliged to snatch a hasty and unwholesome meal, subject to cold and fever, his home little better than a sleeping berth, and then he could appreciate the value which the cabman set upon the Sunday rest. On Sunday he could enjoy a comfortable meal at home, waited upon by an affectionate wife and listening to the innocent prattle of his children, and he had an opportunity of improving his mind, and of attending the worship of Almighty God. He hoped the right hon. Gentleman would accede to the prayer of the Memorial for the maintenance of the present distinction between six-day and seven-day cabs, and that a reduction of one-seventh should continue to be allowed in the case of the former.

MR. AYRTON said, the hon. Member for Salford appeared quite to misunderstand the question at issue between the cabmen and the Chancellor of the Exchequer. Their request had always been that no distinction should be made between them and other persons who kept carriages and horses in levying the duties for the benefit of the Exchequer. That request had been acceded to, and the hon. Gentleman now asked that the old distinction should be kept up. The Chancellor of the Exchequer had conceded what the cabmen had been seeking for many years, and what a Select Committee of that House had recommended; and it was no grievance to cabmen, who used their vehicles on six days of the week, that they should have to pay the same as other people who might or might not use their carriages and horses on Sundays.

MR. CHARLEY admitted that there was much truth in what the hon. and learned Gentleman stated; but what the memorialists complained of was that the protection which the Legislature had hitherto thrown round the six-day cabmen was now to be withdrawn.

THE CHANCELLOR OF THE EXCHEQUER said, he had considered the Memorial which had been referred to, and was sorry that he could not accede to it. That Bill did away with all exceptional legislation on that subject; but if the cabmen were so anxious to maintain the distinction which the hon. Member spoke of, there was doubtless a way in which it could be easily done—namely, by a return to the old plan of levying 1*s.* per day on cabs.

Clause ordered to be *added* to the Bill.

MR. VANCE said, a heavy scale of duties was now imposed on the cabs of the City of Dublin, which that Bill as it stood, although it professed to do away with all exceptional legislation in regard to locomotion, would allow to continue. He understood that the only reason why the cabmen of Dublin were not to be placed on the same footing as their London brethren was that the enormous duties to which they were subject went towards the support of the police of the city. But if it was thought that the citizens of Dublin ought to pay for the support of its police, a direct police tax ought to be levied from them, instead of continuing in operation an oppressive scale of duties on hackney carriages, job horses, &c. The hon. Member concluded by moving the following clause:—

"That on the 1st of January, 1870, all duties shall cease to be payable on licenses for job carriages, stage carriages, hackney carriages, cabriolets, job horses, and carts or drays used or let to hire in the City of Dublin, within the limits of the Act 17th and 18th Victoria, chapter 45."

MR. STANSFELD said, it was impossible to accede to the proposal of the hon. Gentleman, because it dealt with purely municipal duties, whereas the Bill before them was entirely confined to duties payable into the Imperial Exchequer.

MR. VANCE said, he would withdraw his clause.

Clause, by leave, *withdrawn.*

Schedules and Preamble *agreed to,*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 132.]

CIVIL OFFICES (PENSIONS) BILL.

(*Mr. Dodson, Mr. Gladstone, Mr. Chancellor of the Exchequer.*)

[BILL 42.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. FAWCETT, in moving, by way of Amendment, the Resolution of which he had given notice, said, he desired to explain why he had not opposed the Bill at an earlier stage. He confessed his utter inability to understand the provisions and object of the Bill when it was first introduced, and, consequently, he asked the Prime Minister for an explanation. The right hon. Gentleman, with great courtesy, thereupon explained the nature of the measure, and gave information which could not possibly have been gathered from the mere perusal of the Bill. After receiving this explanation, and giving the subject his best consideration, he came to the conclusion that the Bill ought to be opposed; but, being himself a supporter of the general policy of the Government, he was anxious that some one else should head the opposition to it. He had hoped that a discussion would have been raised on the second reading, but the Bill passed through that stage late at night, after an Irish Church debate, the result being that not a syllable was uttered as to the very important principle which the measure involved. Seeing, therefore, that no one else was likely to oppose the Bill on its going into Committee, he had deemed it right to raise a discussion on its principle. He would now briefly state what the Bill proposed to do. Under the Act of William IV. relating to political pensions, the holders of certain offices were entitled to pensions, but the holders of other offices, to which he would presently allude, were excluded from the operation of that statute. The effect of the present Bill would be to render fifteen new offices subject to pensions which were not subject to them before. It might, therefore, at first sight appear that this would entail great additional cost to the country, but he did not wish to over-state the case, and he admitted that the Bill on the face of it appeared to reduce the charge imposed on the country in respect of pensions. Under the existing Act the amount which might be voted each year for political pensions was £21,500, whereas, under this Bill only £16,500 could be annually appropriated to that purpose. But although this plea might be plausibly urged in favour of the Bill, it was merely a plausible and not a well-founded argument. The Act of William IV. not only included offices the holders of which could sit in that House, but the pensions of the permanent Under Secretaries of State also came under the operation of that statute. The present Bill, however, related solely to pensions attached to offices held by Members of that House. Now, as the pensions of the five permanent Under Secretaries of State would, of course, still have to be provided for, he believed the reduction which might appear to be effected by the Bill was more nominal than real. Indeed, on examining the Bill closely, it would be found that there was a probability, amounting to almost a certainty, that the Bill would considerably increase the annual charge on the country, because, pensions granted under its provisions would be obtainable on much easier terms than they were formerly. Under the old system no holder of a subordinate office could obtain a pension unless he had held his office for ten years; and the result was, that at the present time there were only four pensions of the first class—namely, £2,000—held by persons who had been Members of that House. Consequently, the amount annually spent at the present time for these pensions is only £8,000; but if, as this Bill proposed, the holders of subordinate offices would be entitled to pensions after five years' service, he believed the inevitable effect would be to ultimately increase the annual amount granted for pensions. Nay, further, he believed it was absolutely certain that it would have the effect of increasing the amount to be voted for that purpose both this year and next. He might, perhaps, be asked whether he did not think that the system of granting these pensions needed some reform. Well, he would at once avow his belief that the Pensions Act of William IV. required some revison, but not in the direction proposed by the present Bill. It seemed to him that the whole principle on which these pensions were granted was vicious and unsound. What, for example, could be more unsatisfactory, and even more wrong, than the declaration a man was required to make on receiving a pension? He had but to declare that in order to take Office he had been obliged to relinquish some profession, trade, or employment, that provided him with an income which he had lost in consequence of accepting Office. If a man had to make such a declaration as that he did not think the most earnest friend of economy could object to a pension being granted to him under the circumstances. Now, however, all that a man had to declare was, not that he had lost a single shilling by taking Office, but that a pension was necessary in order to enable him to maintain his station. On what principle was a declaration of that kind based, if it were not the principle that the position of an ex-official Member of that House was different from that occupied by a private Member? A principle such as that he regarded as unsound, and how, he would ask, did the declaration work? He knew it would be invidious to mention names, but anyone who looked at the 47th page of the finance accounts might discover how a Member of that House who, having been for many years a private Member, and not having resigned a single shilling on his acceptance of Office, obtained a pension amounting to his full pay, for the term of his natural life, upon his making a declaration on his retirement from Office that a pension was necessary to maintain his station. A system of that kind he regarded as being radically wrong, and if anything were done in the direction of altering the Official Pensions Act, the alteration should, he thought, proceed on the principle that the position of an ex-official Member of that House was not in any degree different from that of a private Member, and that no pension should be granted to a man unless, in taking Office, he was obliged to relinquish some trade, profession, or employment, which, on his retirement from Office, he could not resume, and that in consequence he did not possess an income sufficient for his due maintenance. But he objected to the Bill for another reason besides that which he had stated. Certain Offices were excluded from the operation of the Act of William IV. because they were looked upon as sinecure Offices; and now, by one of the first measures introduced into a Reformed House of Commons, pledged to economy, it was proposed to attach to two sinecure Offices pensions which had never been attached to them before. The offices of Lord Privy Seal and Chancellor of the Duchy of Lancaster were those to which he particularly referred. Those he believed to be sinecure offices. Mr. Perceval held at the same time the offices of Prime Minister, Chancellor of the Exchequer, and Chancellor of the Duchy of Lancaster, and when a new Administration was being formed, the last mentioned and the office of Lord Privy Seal were always treated in the newspapers as being absolute sinecures. Why, then, should a Reformed House of Commons, pledged to economy, attach to them pensions which they had never before enjoyed? Under this Bill a man at thirty-five might become Chancellor of the Duchy of Lancaster, and retain that office for five years, with a salary of £2,000 a year, and then at forty he would retire with a pension of £1,200 a year for life, the money value of which was £30,000. The result would be that for holding a sinecure office for five years a man might be enabled to get from the country no less a sum than £40,000. That could not be right, especially when the onerous conditions imposed in the case of other pensions was taken into account. A man, for instance, who accepted the office of a colonial governor generally made greater sacrifices than those which were made by a Member of that House accepting Office in the Government. Yet, under the Colonial Governors Pensions Act no man could, he believed, obtain a pension, though he might have to serve far away from home and in an unhealthy climate, until he was sixty-five years of age, the utmost pension he could then receive being £1,200 a year. He would, under these circumstances, appeal to the Government not to proceed with the present Bill. They were engaged in carrying out wisely a policy of retrenchment and economy; but, in order to secure the support of the nation for that policy, it was necessary that the economy and retrenchment should be fair, just, and impartial. No one could tell the suffering that was caused to the clerk who was dismissed, and the dockyard labourer who was discharged. The clerk was turned out of employment at a time when there was a redundancy in the particular class of labour in which he was engaged, but both he and the dockyard labourer had many friends to sympathize with them; and it was impossible to carry out a policy of rigid economy unless the voice of the nation were with the Government in seeking to give it effect. In the interests of economy, therefore, it was of the utmost importance that nothing should be done which would give to the public out-of-doors the impression that Parliament was not consistent in its attempts to secure so desirable an object. It was not so much because of the few thousands which the Bill would throw upon the country, but because of the bad results which would be produced, if the feeling should come to prevail that while our dockyard labourers were being discharged, Members of that House itself were to be rendered eligible for pensions which had not hitherto attached to the offices which they might hold, that he was so strongly opposed to the measure. He was of opinion that the Bill should not be proceeded with further until inquiry was made as to the duties which belonged to those particular offices. If it were found—as he believed it would be—that those offices were sinecures, then their holders ought not, he contended, to be entitled to pensions. The whole question of political pensions required careful consideration; but the present Bill would, he maintained, create many new abuses, while it would not correct a single old one. Entertaining those views, he hoped the Government would withdraw it and introduce another measure next Session, based on the principle that a man should be entitled to a pension only when, in accepting Office, he relinquished his source of income, and, as a consequence, on his retirement from Office, found that he stood in need of a pension for his due maintenance. A Pension Bill founded on such a principle as that would, he felt assured, receive the cordial support of the friends of economy, both within and without the walls of the House.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the further consideration of this Bill ought to be deferred until an inquiry has been made into the duties attached to some Political Offices which are now regarded as comparatively sinecure, and which offices for the first time will be entitled to Pensions under this Bill,"—(*Mr. Fawcett,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. GLADSTONE: Let me, in the first place, say that I do not in the slightest degree resent any attempt which my hon. Friend may think it to be his duty to make in opposition to this Bill; because, although I look on its provisions as not only capable of being defended, but as useful in themselves, yet I feel as strongly as my hon. Friend that any measure relating to political pensions ought to receive the close attention of this House. I am not in the least afraid of an unfavourable impression in regard to the Bill existing out-of-doors, and it seems to me that my hon. Friend must have felt that he supplied an antidote in some degree to any such apprehension when he said that he waited for a long time in the hope that some other Member might give notice of his intention to oppose the measure, but that, finding no one else did so, he had resolved to oppose it himself. As to the immediate effect of the Motion, it really affords no ground against going into Committee on the Bill. My hon. Friend wishes that inquiry should be made into the duties attached to some political offices now regarded as sinecures—those of Privy Seal and Chancellor of the Duchy of Lancaster.

Mr. FAWCETT said, he did not admit that these were the only two sinecure offices. On the contrary, he thought that inquiry would show that others were sinecures also.

Mr. GLADSTONE: And I venture to think it would not. But these are really matters on which the public is pretty well informed. As far as I am aware there is not any office comprised within the Bill which could be charged as sinecures except these two. There is no necessity for inquiry upon that subject. The reason for the existence of these offices is well understood, and it is this —that in a Cabinet and in a Government constituted as our is, with two Houses of Parliament and with the immense diversity of duties that attach to the holding of administrative Office, it is for the public advantage that you should not have every one of the holders of Office heavily laden with the immediate duties of a Department, because the miscellaneous duties of administration under a Government like ours are so important, and of such constant recurrence, that it is almost a matter of vital necessity to any Government that does its duty and grapples with public questions as they arise to have some one or two of its members free in a great degree from merely departmental duties, in order that it may be able to discharge duties on the part of the Government at large. That is the whole case, and upon that case I freely invite the judgment of the House. I think we have done rightly to bring these two offices within the scope of the Pensions Act. At the same time, if my hon. Friend thinks otherwise, that is a question which may be perfectly well raised in Committee upon the Bill, but it is no question of sufficient magnitude to form a basis for postponing the further consideration of the Bill. The objections of my hon. Friend may be divided into those which are too small and and those which are too large for his Motion. His objection to those offices which may be dealt with in Committee is too small. But he gave utterance to opinions in the course of his speech which I think were too large for his Motion, because those opinions would, in logical consistency, have led him not merely to suggest the postponement of the consideration of this Bill until we had examined into the constitution of two or three offices, but would have led him to move for leave to introduce a Bill to repeal the Act of 3 & 4 *Will.* IV. My hon. Friend propounded a principle totally different from that upon which political pensions are now founded. I do not intend to throw discredit upon his opinion. I only want to remind the House that that opinion points to a mode of regulating those pensions wholly different from that which Parliament has ever recognized. We have not ascended so high into the question. We have accepted the principle upon which the present Act stands, and have simply sought to introduce into the law certain amendments of detail. My hon. Friend propounds a rival principle. He thinks that political pensions ought to be given only in instances where gentlemen have relinquished a lucrative profession or business in order to take political Office. Now, I believe that if there were no political pensions at all, the service of the country would be carried on pretty well. But it was the policy of the Government of this country, at one of its very best and most reforming periods, and certainly the most economical period —namely, the year immediately following the first Reform Bill, to establish political pensions, and this was done advisedly, upon the ground that it was not desirable to confine the access to Office to wealthy men. The opinion promulgated by my hon. Friend, though I have no doubt he puts it forward sincerely in the name of economy, has a directly opposite tendency to the principle on which the Act of 1834 was based. He says—"I will give you nothing unless you show me that you have relinquished a lucrative rade or profession." He, therefore, ays that in the case of men who have nothing but their aptitude to serve the public, though they may have borne the highest offices under the Crown, may have been obliged to represent their country, and to live up to a certain scale f expenditure, he would offer to them no means of redeeming them perhaps from restitution. I do not want to argue that matter at large. I think it is enough to ay that in 1834, which I look upon as nearly a model period in the history of his country—as the period of the most honest, upright, thrifty administration ever known in England—the view taken by Parliament was that, in cases where gentlemen did not possess a competent fortune, it was not desirable that those who had served Her Majesty in great offices of State should be consigned to poverty after relinquishing those offices. I much doubt whether the Parliament of the present day will be disposed to differ from the Parliament of 1834 upon that question; and, again, I feel convinced that if we do differ from the Parliament of 1834, the proper way of raising the issue is by a Motion to repeal the Act of 1834, and not by a mere postponement of an improving Bill, leaving the Act of 1834 in full vigour upon the statute book. My hon. Friend says that this Bill brings in new offices which will qualify the holders for pensions. That is quite true, and it appears to me that the proposal is most reasonable, because, while several offices have been abolished, a large number have been created since 1834; many of them involve hard work; none of them involve high salaries; and if there are to be pensions at all, it is desirable that the holders of those offices should run their chance along with the rest. Setting aside the minor question as to the two particular offices mentioned by my hon. Friend, I do not think that that is a relaxation of the law to which the House would object. Then my hon. Friend says that some of the pensions under the Bill will be attainable after a shorter period of service than hitherto has been necessary. That is true, but the question is one to be decided by the Committee; and if my hon. Friend is disposed to restore the longer period of service, I should not be disposed to lend an unfavourable ear to such a proposal. But I must say that my hon. Friend has not given a perspicuous account of the important restrictions which this Bill introduces. In the first place it restricts the number of pensions which can be given. In the second place it lengthens, and not shortens, the term of service for the most important officers and the largest pensions. In the third place, it establishes a more just relation between salary and pension. My hon. Friend himself selected as an example of the defects of the present system that a gentleman may take under the present law a Cabinet office with £2,000 a year, may hold it for two years, and may then, other conditions applying, obtain a pension of

£2,000 a year. That is under the present law. My hon. Friend should have pointed out that that cannot now happen, because an official with a salary of £2,000 a year cannot obtain a pension of that amount; and then we propose to introduce a provision that only one of these pensions can be granted in any one year. That is a provision which I am satisfied is not excessive. It will not impose any inconvenient restraint upon the operation of the law, while it will certainly act as an important restraint against possible abuse. The real object of this Bill is to adapt the Act of 1834 to the altered state of things which has arisen in the course of thirty-five years of very active political and administrative change, and likewise to introduce a variety of improvements into the provisions of the Act. Of course it is not necessary nor fair to take any credit for striking out from the Bill certain offices, because those offices—namely, those of permanent Under Secretary of State—would still be chargeable upon the public, though in a much better and more equitable form. In truth the administration of the present law has been found very embarrassing, so far as those offices are concerned, and it is better to separate them from offices which belong to the political category alone. Then we are asked why we submit this Bill at the present moment. Well, I think the argument for submitting it sooner would be even stronger than the argument against submitting it now. A number of working offices have sprung up since 1834 for which no provision in the way of pension has been made, and if it is right that the holders of any offices should enjoy pensions, it is right that the holders of these new offices should. The hon. Gentleman expresses an opinion that there will be under the Bill an increased burden on the public; but I know not on what ground he founds that opinion. My own belief is that the tendency of the provisions of the Bill, taken in their general operation, will be towards a reduction and a fairer distribution of the public charge. Without pretending to enter into detailed discussion on the question whether any political pensions at all ought to be provided by law in this country, I am content to stand on the authority the present Act of Parliament rests upon, according to which it has been deemed that on the whole it is conducive to the public interest that such pensions should be provided, and on the fact that, if they are to be maintained, occasion has arisen to bring new offices within the scope of the Act, the opportunity being at the same time taken to give greater stringency in various respects to its provisions, and greater security to the public.

Colonel SYKES said, he had no objection to the principle of the Bill, for he believed that the laborious duties which political officers performed in Parliament entitled them to a pension of reasonable amount on quitting Office. The pensions under the Bill were divided into three classes, and a high political officer having a yearly salary of £5,000 would be entitled to a pension of £2,000 a year after four years' service. That was an exceedingly liberal provision, and he thought that the public had a right to expect that the service qualifying for such a pension should be longer than four years, especially as the officer was to be entitled, if he had served two years in the second class, to count those two years as one year in the first class. The service, too, need not be continuous, but might be a tenure of Office for two years at one time and for two years at another time. He conceived that the period of service qualifying for a pension ought to be seven years and that the service ought to be a continuous service for that period. He wished the same liberal spirit had been manifested to the Directors of the East India Company when they were deprived of their political functions, many of whom had exercised those functions for twenty years and upwards, and were deprived of Office without a pension or a shilling of compensation.

Mr. FAWCETT said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Application of Act).

Mr. FAWCETT moved that the Chairman report Progress. He said that he had refrained from dividing on his Amendment, because the Prime Minister had advanced reasons showing that it did not meet the intended object. The right hon. Gentleman had also made some important suggestions, with reference to which it was not fair to ask for the decision of the Committee without sufficient time being allowed for their consideration. He trusted, therefore, that the further progress of the Bill would be deferred for a few days, so that he might be able, in the meantime, to place his Amendments on the Paper.

MR. GLADSTONE said, he hoped the hon. Gentleman would allow the Committee to dispose of various points with respect to which Notices of Motion had been given for some time. With respect to the precise duration of service which should qualify for a pension, that was a question actually raised by an Amendment on the Notice Paper. With regard to the omission of certain offices, he did not know that it would not be competent for the hon. Gentleman to move their omission in Committee, and any other omission he might move on the Report. With regard to the declaration, however, he never suggested that he should move the omission of it. That would be introducing a change too important into the whole law, and he hoped the hon. Gentleman would allow them to go through the Bill as it stood, and if he thought fit to move Amendments that required detailed discussion they might be taken on the Report.

Motion by leave, *withdrawn.*

MR. BOUVERIE observed an expression in the clause which was entirely new in Parliamentary phraseology. The clause spoke of "any office in the permanent Civil Service of the State or in Her Majesty's Household." Was not this ignoring the service of the Crown?

MR. GLADSTONE said, he believed that the words "permanent Civil Service" though recent, were now statutory words. Still he thought the criticism so far just that he would move to omit the word "State," and insert "Crown."

Amendment *agreed to.*

MR. RUSSELL GURNEY called attention to the words in the clause "or to any legal office," which, taken in conjunction with the Return which had been presented to the House, might be supposed to include the office of Judge-Advocate. That office was far more a political than a legal office, and specially called for the provision afforded by the Bill; because, generally speaking, the gentleman accepting it sacrificed a considerable professional income. He could hardly think it was intended to exclude the Judge Advocate from the provisions of the Bill.

MR. GLADSTONE rather thought the argument was against including the office of Judge Advocate, for the Judge Advocate did not sever himself from his profession when he accepted the office. He might rise to a Judgeship, or become Solicitor General, as in the case of Mr. Stuart Wortley and Sir David Dundas. There was nothing to prevent the present Judge Advocate from returning to the Irish Bar. He did not think that, on the whole, there was sufficient ground to ask the House to insert the office.

MR. RUSSELL GURNEY observed that, being a Privy Councillor, the Judge Advocate could not practise in the same way as before.

MR. FAWCETT said, he thought the whole of this discussion was a remarkable illustration of what he had ventured to state—that the subject required further inquiry. The Prime Minister said, and he quite agreed with him, that the Judge Advocate ought not to have a pension, because he could return to his profession; but was it not most anomalous that Lord Clarence Paget, having left the Navy to enter that House, and having been in Office for five years, during the whole of which period he was in receipt of £2,000 a year, he then left the House—showing that all this had not interfered with his professional career—took the command of the Mediterranean Fleet, and when he gave it up, because he had been five years in Office, he would be in receipt of a pension of £1,200? This was an anomaly which demanded rectification.

Clause *agreed to.*

Clause 2 (Classification of political offices).

MR. SCLATER-BOOTH objected to the exclusion of offices with salaries of £1,000 a year, such as the offices of Lords of the Treasury, Junior Lords of the Admiralty, and Secretary to the Poor Law Board. The exclusion seemed rather invidious, and he did not see why such a line of distinction should be drawn, especially as the tendency was more and more to overload those offices with work.

Mr. GLADSTONE said, the tendency of the hon. Gentleman's argument was to introduce within the scope of political pensions a class of officers who were distinctly excluded by the Act of 1834, and to go down to a lower class of officers would be a very serious change. It was a mistake to suppose that political pensions were given as a reward of services; service was a necessary qualification, but did not entitle to a political pension. That was given rather on the ground to which he before referred—namely, that it was not for the interest or the credit of the country that those who had filled high political offices in the service of the State should be exposed to the evils of penury.

Mr. SCLATER-BOOTH remarked that many of those who had attained high political office commenced their career in those smaller offices to which he had alluded.

Clause *agreed to.*

Clause 3 (Limit of amount of pensions).

Colonel SYKES said, he thought a term of three years' service of a public servant was not sufficient to entitle him to a pension of £2,000 a year, particularly as nine-tenths of these public servants were possessed of independent fortunes. The general term for Governors and Councillors in India and for holding army staff appointments in England and India was five years, and in a Bill sent down to them from the other House, Councillors of India were required to serve ten years. As the Bill stood, terms of service at intervals would be counted accumulatively. He held that a continuous service, if not of seven years, at all events of five years, should be required, and with that view he begged to move that in the first class the word "five" should be substituted for the word "four."

Mr. GLADSTONE said, they had already gone a long way in making the Bill more stringent than the present law. The present law only prescribed "two" years. They now proposed to extend the period to "four" years, and the hon. and gallant Gentleman proposed that they should go further still and make it "five" years. The fortunes of political parties were unequal, and it frequently happened that, owing to the relative predominance of one party or another at different periods, they held Office sometimes for a long period, while it was enjoyed only a comparatively short period by their opponents. Considering the Liberal majority in the House, he did not think that it was for Liberal Ministers to make very stringent rules on the subject, and if they did it might be construed to mean pensions for themselves and none for Gentlemen on the Opposition. But the obligations of the country to the Opposition, though sometimes less, were occasionally greater than to the Government; and, therefore, they ought not to introduce into the Bill anything that would operate unequally between one party and another.

Mr. CANDLISH suggested that they should report Progress, on the ground that the matter was not urgent, and that the subject of political pensions required further consideration. An hon. Member who had some Amendments on the Paper was not then present.

Mr. Alderman LUSK thought it would be only fair to postpone the discussion.

Mr. RUSSELL GURNEY said, the Bill had been many times on the Paper, and hon. Members had come down night after night expecting it would be proceeded with. He therefore hoped the measure would now be discussed.

Mr. GLADSTONE said, it was very difficult in a Session like the present to find time for discussing measures of this description, and at the same time to allow due intervals between the stages. Looking to the present state of Government Business, he really did not know when he could find another night for the purpose. It would be very inexpedient to have to discuss this measure at the end of July, when Members were exhausted with other business.

Mr. BROGDEN said, there had been no discussion on the second reading. He moved that the Chairman report Progress.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Brogden.*)

The Committee *divided:* — Ayes 15; Noes 94: Majority 79.

Clause 4. (Mode of calculating time of service.)

MR. RUSSELL GURNEY proposed several verbal Amendments, having for their object to carry out the principle of the Bill more effectually, by allowing time passed in a lower office to count towards a pension, if the office-holder were afterwards promoted.

MR. ALDERMAN LUSK objected to these Amendments, which were all, he said, in one direction. Those who, like himself, had no expectation of getting pensions would very much prefer that the Bill should remain in its original shape.

MR. GLADSTONE said, the Amendments of the right hon. and learned Gentleman were simply calculated to adjust the provisions of the Bill, so as to insure their working uniformly and accurately in all cases. They had nothing whatever to do with the number of years which might be fixed upon as the qualification for a pension. The Committee had not thought proper to make any alteration in the Bill in that respect, but, of course, it was open to any hon. Member to re-open the question on a future occasion.

Amendments *agreed to.*

MR. RUSSELL GURNEY moved in line 18, after "second class," to insert—

> "Any person who, having served for three years in a lower class, has afterwards served in a higher class for such time as would, if the service had been in the lower class, have entitled him to a pension in the lower class, shall be entitled to reckon the whole of his service as if it had been passed in the lower class."

Amendment *agreed to.*

THE CHANCELLOR OF THE EXCHEQUER moved to insert at the end of the clause the following:—"Nor shall more than one pension under this Act be granted in the same year."

MR. HUNT thought the Amendment required some explanation. It was rather hard when two persons claimed pensions in the same year that one only should have his claim satisfied while that of the other was passed by.

THE CHANCELLOR OF THE EXCHEQUER said, there was a jealousy against an indiscriminate granting of pensions. The object of the Bill was that, if persons who had been in Office should make a declaration that they could not maintain their position without a pension they should be enabled to obtain that pension if otherwise qualified. He thought it was well to keep up this safeguard of a declaration, which was already adopted in respect to certain Members of the Government.

MR. HUNT agreed that the number of pensions should be limited, but could not see why the number to be granted in each year should be restricted to one. Who was to have the power of granting these pensions ?

THE CHANCELLOR OF THE EXCHEQUER said, that that power would lie in the hands of the Prime Minister for the time being.

MR. GLADSTONE said, that the right hon. Gentleman opposite (Mr. Hunt) appeared to imagine that this Bill would give a right to certain persons to these pensions; but the fact was that the Bill only empowered the Prime Minister for the time being to grant one pension a year to such persons who, having made the necessary declaration, he should think under all the circumstances were deserving of them. It was most important that it should be clearly understood that no person whatever would have any right or title to a pension conferred upon him by this Bill. The pensions would be granted by the Prime Minister entirely on his own responsibility.

COLONEL SYKES remarked that the statement just made by the Prime Minister was very satisfactory, and would remove serious apprehensions.

MR. FAWCETT said, he did not think there was much force in the distinction which had been drawn by the right hon. Gentleman between title to and qualification for the pensions. If a man were to make the necessary declaration, and there were a vacancy, the Prime Minister could hardly refuse to grant a pension to the person asking for it. He was glad to hear that in future the Prime Minister would be responsible for the granting of these pensions.

MR. GLADSTONE repeated his declaration that the Bill would give no person a title to a pension. The Minister would have to inquire into all the circumstances of the case, and grant or withhold the pension at his discretion, for the excercise of which he would be responsible.

MR. FAWCETT said, that judging from past practice, he had imagined that, when the necessary formalities had been complied with, the Prime Minister had had no power to withhold the pensions; and on any other assumption he could not understand upon what grounds many of these pensions had been conferred. The right hon. Gentleman had said that the country did not wish to see those who had rendered valuable services to their country sink into poverty; but, if that were the case, why should the exercise of the national benevolence be restricted to relieving one person per annum?

Amendment *agreed to.*

Mr. HUNT proposed the following proviso:—

"Provided that no office hereafter created shall be entitled to rank as one of the political offices within the meaning of this Act, unless such office shall have been created by Act of Parliament, nor shall any existing office be hereafter entitled to rank in any one of the three classes described by this Act in which it is not, at the time of the passing of this Act, entitled to rank by reason of any addition to the present salary of such office, unless such addition shall have been made under the authority of an Act of Parliament."

The right hon. Gentleman said under previous Acts the officers qualified for pensions were mentioned by name; but in this Bill they were merely described by the amount of the salaries they received. Now, a new office might be created by Government without Parliament being consulted, or the salaries of officers might be increased without Parlament being consulted. The object of his Amendment was to provide against anything being done in these respects without the consent of Parliament.

Mr. GLADSTONE said, he quite approved of the Amendment.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 5 (Pensions payable out of Indian revenue).

Mr. HUNT said, the principle of the clause was that any pension granted should be charged upon the same revenue as the salary, but that applied only to India. Now, the Duchy of Lancaster was named in the Bill, and as the salary of the Chancellor of the Duchy was charged upon the revenues of that Duchy, he moved an Amendment that any pension which might be granted to any such Chancellor should be paid out of such revenue.

Mr. GLADSTONE said, this was an Amendment with regard to which the Government would have a special responsibility. It could not be adopted without the consent of the Crown, and he was bound to say at once that the Government could not give that consent, because it would not be just to Her Majesty, who was in the enjoyment of the revenues of the Duchy of Lancaster on certain terms. The state of those revenues would, no doubt, be taken into consideration when the arrangement of the Civil List was made at the commencement of a reign, and if it was thought on general policy they ought to be changed, it could only be given effect to when the Civil List was rearranged. It was not considered when the compact was made with the Crown, and, therefore, the Amendment, however plausible, was not reasonable. The duties of the Duchy could, no doubt, be discharged more economically and in a different manner if there was nothing to contemplate except the purpose of the Duchy. The State was favoured by the Duchy by the arrangement that the maintenance for general State purposes of an office more highly paid and of greater consequence than the mere management of the Duchy itself required.

Mr. HUNT observed, that the latter part of the argument of the First Minister went to show that the entire salary of the Chancellor ought not to be charged on the Duchy. The principle for which he contended was that the pension ought to come from the same source as the salary; but, as the right hon. Gentleman said that the Government would not give the consent of the Crown to the Amendment, there would be no use in pressing it.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 6 (Pensioner not to hold pension under another Act).

Mr. FAWCETT asked whether a person who had held Office in the Colonies, and also in England, could draw one pension from the Colonies and another from the Imperial Exchequer?

Mr. GLADSTONE said, he would rather have the question in writing before he gave an answer. His belief was that such a person would not be competent to hold the two pensions at the same time. He, however, should not like to give a decided answer to a hypothetical question before ascertaining what would be the real law of the case.

Clause *agreed to.*

Clause 7 *agreed to.*

Mr. FAWCETT asked the right hon. Gentleman to postpone Clause 8.

Mr. GLADSTONE declined to do so, but said that his hon. Friend would have ample opportunity of moving an Amendment in a future stage if he should be disposed to do so.

Remaining clauses, together with the Schedules and the Preamble *agreed to,* with verbal Amendments.

House *resumed.*

Bill *reported;* as amended, to be considered upon *Thursday* next, and to be *printed.* [Bill 133.]

House adjourned at One o'clock.

HOUSE OF COMMONS,

Friday, 28*th May*, 1869.

MINUTES.] — Public Bills — *Ordered—First Reading*—Oxford University Statutes * [136]; Companies Clauses Act (1863) Amendment * [138]; Pier and Harbour Orders Confirmation (No. 2)* [137].

First Reading — Insolvent Debtors and Bankruptcy Repeal * [134].

Second Reading—Metropolitan Poor Act (1867) Amendment [53], *debate adjourned.*

Committee—Election Commissioners (Expenses) * [109]—r.p.

Committee—Report — Irish Church (*re-comm.*) [123]; County Coroners * [75-135].

Considered as amended — Irish Church (*re-comm.*) [123].

Third Reading — Evidence Amendment * [25] and *passed.*

CANADA—INTERCOLONIAL RAILWAY.

QUESTION.

Mr. SINCLAIR AYTOUN said, he wished to ask the Under Secretary of State for the Colonies, Whether the Governor General of Canada has approved the Report of a Committee of the Privy Council of Canada, advising the adoption of the recommendation of the Finance Minister of the Canadian Dominion that money raised under the Imperial Guarantee for the construction of the Intercolonial Railway should be applied to the payment of the general debts of the Canadian Dominion; whether such application of the money raised under such Guarantee is not in contravention of the Canada Railway Loan Act, 1867; whether any Correspondence has taken place between the Colonial Office and the Governor General on this subject; and, if so, whether he has any objection to lay Copies of such Correspondence upon the Table of the House; and, why no Statement and Account has been laid before this House, in accordance with the fourth Section of the Canada Railway Loan Act, 1867?

Mr. MONSELL said, in reply, that there had been no correspondence such as that alluded to by his hon. Friend between the Colonial Office and the Governor General of Canada; but somewhere about three weeks ago several Parliamentary Papers had been brought over from Canada by Mr. Rose, one of the Ministers of Canada, to the Colonial Office. Among those papers was one entitled "Correspondence respecting the Intercolonial Railway." It appeared that the Governor General of Canada, on the 27th of August last, approved a Report which recommended that certain floating debts bearing a high rate of interest should be paid off by the issue of interest bearing securities, in which a part of the colonial loan was to be invested. In order to secure that the proceeds of the loan should be available when waiting for the Railway, it was arranged that two credits, one with the Messrs. Baring and Glyn for £250,000, and the other with the Bank of Montreal for £500,000, should be appropriated to that special purpose, and that Exchequer Bills of the Dominion, receivable in payment of taxes, should be placed in the hands of the Receiver General as trustee for the Intercolonial Fund, which Exchequer Bills were not to be used by him till required for that object. The hon. Gentleman next asked whether such application of money so raised was not in contravention of the Canada Railway Loan Act. Now, that Act sanctioned the raising of £3,000,000 for the purpose of constructing the railway, but said nothing about the employment of the money in the interval between the receipt and its application, and, as far as he could form an opinion, there was nothing absolutely illegal in what had been done by the Canadian Government. But whether the course they pursued was in accordance with the spirit of the transaction in which they were engaged was another matter altogether, and one which was at present occupying the serious attention of Her Majesty's Government. In reply to the last question of the hon. Gentleman he had to state that, although various steps had been taken in respect of the loan with the approbation of the Treasury in the months of June and July last, still the absolute sanction of the Imperial Government had not been formally given till the beginning of the present year, the Session of Parliament having previously commenced. The consequence was that it was not considered that any statement of accounts in accordance with the 4th section of the Act should be laid before Parliament; but if the hon. Gentleman should think fit to move for a statement regarding the whole of the proceedings there could be no objection on the part of the Government to its production.

NAVY—COAL FOR THE NAVY.

QUESTION.

Mr. SINCLAIR AYTOUN said, he wished to ask the Secretary to the Admiralty, Whether the List of Collieries from which alone Coal was supplied for the use of the Navy has been discontinued; and, if so, whether Collieries already on this List are now placed on a footing of perfect equality with all other Collieries in competing for Tenders for supplying Coal for the use of the Navy?

Mr. BAXTER: Sir, there is now no official list of collieries from which exclusively the Admiralty make purchases. They are buying the description of coal most suitable for their purpose both in South Wales and the North of England, and they mean to send their inspecting officer to North Wales, the midland counties of England, and the South of Scotland with the view of ascertaining what coals in these districts may also be available for the naval service. With reference to the second Question, my hon. Friend will see that the former distinction is at an end.

COUNTY FINANCIAL ARRANGEMENTS.

QUESTION.

Mr. READ said, he wished to ask the Under Secretary of State for the Home Department, Upon what calculation he founded the statement he made on introducing his Bill on County Financial Arrangements, that under the proposed Bill the number of Representative Ratepayers in Quarter Sessions would be only "one to five" of the County Magistrates?

Mr. KNATCHBULL-HUGESSEN said, in reply, that on the 2nd of March he moved for a Return of the number of parishes in each Poor Law union in England and Wales. Applying the Schedule of the Bill to that Return, he was enabled to state with tolerable accuracy the number of elective members which would be sent to the Financial Board in each county. He had next ascertained from the clerks of the peace of each county the number of magistrates on the roll. The result appeared to be that there would be one elected member to every five magistrates on the roll; but he had not meant to convey to the House that such would be the proportion actually on the Board. If, for instance, there were 250 magistrates on the roll, it would not at all follow that anything like that number would attend at the Sessions. There were deductions to be made for absence on account of non-residence, age, and such other causes, and he was afraid he must add on account of want of inclination; and, after those deductions, it would probably be found that the average attendance at sessions was not more than fifty at the outside. If there were 250 magistrates on the roll, and only fifty elected guardians, the proportion of course would be one in five. But whilst the usual attendance of magistrates was not more than from forty to sixty; of the fifty elected rate-payers the great majority might fairly be expected to attend. The result would be that either the elected members could exercise a very considerable power in the County Financial Boards, or else the magistrates, to prevent a dominant power, would be stimulated to attend in far greater numbers. In either case, he did not think the result would be objectionable.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

CASE OF "LAVELLE V. PROUDFOOT."

QUESTION.

MR. CHARLEY said, he rose to call the attention of the House to the case, of Lavelle v. Proudfoot, tried before Mr. Justice Fitzgerald at the late Galway Spring Assizes, and to ask Questions of the First Lord of the Treasury in relation thereto. He had taken up the subject, not in a spirit of bigotry, but solely through a painful sense of duty. If the Irish Church Bill became law the Protestant clergy would be withdrawn from the remote districts of Ireland, and with them would be withdrawn that public opinion which their presence helped to maintain at the present, while the Roman Catholic priests would be left altogether uncontrolled. It was in the interest of the Roman Catholic portion of the population he ventured to bring this matter forward. All the parties who had suffered from the acts of violence to which he would have to refer were Roman Catholics. It was also remarkable that the Judge who tried the case—Mr. Justice Fitzgerald—was an eminent Roman Catholic, while most of the counsel engaged on both sides were also Roman Catholics. The action was one for libel brought by the celebrated Father Lavelle against Mr. Proudfoot, the agent of the Building and Land Investment Company. As agent of that company, Mr Proudfoot had been engaged in what was called "striping" land on the Port Royal estate in the parish of Partry, of which Father Lavelle was parish priest. It was very customary in Ireland for persons to have a right to a cow's grass in one place and a right to a-half or a-quarter cow's grass in another place. This was what was called holding in "rundale," and he believed it led to much inconvenience. In order to do away with that system it was necessary for owners of estates to "stripe" the land—that was, to get the tenants to give up that right with the view of having the land divided into square farms. The tenants in Ireland generally objected to the process of "striping" the land, and in this particular case Father Lavelle took up the cudgels for the tenantry. He addressed several letters to the local papers reflecting on Mr. Proudfoot, who replied in a letter to the *Mayo Constitution.* In that letter were two allegations, to which he would call the attention of the House. First, the letter stated that a poor woman, named Catherine Henahan, had been severely beaten by the collector of dues for Father Lavelle. Next it stated that a number of the parishioners of Father Lavelle had been expelled from the chapel of Partry because they had given up their land. These were the grounds of libel in the action tried at the Galway Assizes. The jury found for the plaintiff, and assessed the damages at one farthing. With reference to the first allegation that failed, because it appeared on the trial that the person who committed the assault was agent, not for Father Lavelle, but for his curate, Father Mullarkey. There could be no doubt, however, that there had been committed on the poor woman what Mr. Justice Fitzgerald had termed an "outrageous" assault. It appeared that she was reaping her oats, in a field, when the collector of dues for the Roman Catholic curate commenced carrying off a portion of the crop. The poor woman endeavoured to prevent him from doing so, whereupon he turned on her, knocked her down, knelt upon her, and severely cut and bruised her face. She afterwards obtained a summons against the ruffian, but, at the instance of Father Mullarkey, she consented to withdraw it. It appeared that the custom of levying these dues had existed in this diocese—that of Archbishop M'Hale — during the past half century, and evidence was adduced to show that these oats formed part of the perquisites of the Roman Catholic curate. Now, in the course of the debates on the Irish Church, the House had frequently been told that the Roman Catholic Church in Ireland existed entirely upon the voluntary system, and he should be glad to learn from the right hon. Gentleman at the head of the Government whether he considered this custom to be a part of the voluntary system. It would certainly seem strange if any Baptist minister had a customary privilege of seizing his pewholder's oats. The second allegation was that people had been turned out of the chapel for the offence of giving up their farms for the purpose of being "striped." But it was sworn that this was not the reason, and that the real cause was that the people so turned out had sent their children to the National School, the teachers at which had been trained at the Model Schools in Dublin subsequent to 1862. About twenty persons were so expelled, and of these one was Sergeant Coneys of the police. At the time of his expulsion he was kneeling in front of the altar, when Father Lavelle took out his watch and told him he would give him five minutes, without saying what for. Sergeant Coneys' wife came and told him not to enrage the priest, and that he had better go out quietly. This he accordingly did with his wife and family, and Father Lavelle followed them into the chapel-yard, and insisted upon their going into the public road, and on their going out of the chapel-yard the gate was slammed after them. Father Mullarkey swore in his evidence that the last sacrament of the Church—extreme unction—was refused to one man, John Henehan, because he permitted his grandchildren to go to the National School, and in excuse for this it was urged that the man was violating the laws of the Church, inasmuch as in 1862 resolutions were passed in Dublin condemning the Model Schools. Mr. Justice Fitzgerald expressed himself very strongly upon the conduct of Father Lavelle and Father Mullarkey, and after referring to what had occurred in the case of Sergeant Coneys, said that he had never heard of such a transaction, and trusted that he never might again. The learned Judge, too, stated, that though he knew nothing about the canonical law, the course pursued in the expulsion of the sergeant was contrary to common law. Considering that the right hon. Gentleman at the head of the Government was desirous of conciliating the Church of Rome, that he looked upon education as one of the three heads of the Upas tree of Protestant ascendancy in Ireland, and considering the animosity exhibited towards the National School system by the leading dignitaries of the Roman Catholic Church in Ireland, and more especially by Dr. M'Hale, he would ask whether the right hon. Gentleman was prepared to do away with that system, and hand over the education of the people to the priests, substituting a denominational system; and whether he was prepared, in case the Irish Church Bill became law, which it probably would do so far as that House was concerned on Monday next, to take measures to protect peaceful Roman Catholic subjects of Her Majesty in Ireland from the possible recurrence of such acts of violence as those which occurred in the case of "Lavelle *v.* Proudfoot?"

Mr. G. H. MOORE said, it was evident, when the hon. Gentleman placed his Motion upon the Paper, that it was merely the pretext for such a statement as the one to which the House had just listened; and it was also manifest that the plea of defending the liberties of the Irish people was merely a pretence equally shallow and sinister for making an attack upon a body of men, who, above all others, had done their best to protect those liberties from the assaults of sectarian animosity, and from attempts which had been made to trample them under foot. What were the real facts? A trial had been held in Ireland before the legitimate tribunal of the country; and a verdict in due form and in accordance with the evidence had been returned, and yet an hon. Member thought it necessary to call upon the House to review the case, and upon his own *ex parte* statement to call upon the First Minister of the Crown to interfere in the matter. The charges were, in the first place, directed against Mr. Lavelle, the parish priest of Partry, in Mayo; against Mr. Mullarkey, the curate; and against a country boy, whom the hon. Member had somewhat fantastically described as a collector of dues. He (Mr. G. H. Moore) believed that there did not exist a man more conscientious, earnest, or high-minded, than Mr. Lavelle, who was one of his constituents, and whose friendship he was proud to acknowledge. The charges made against the rev. gentleman were that, in the discharge of his duties as parish priest, he had expelled from the chapel and deprived of their religious rites a number of persons who had persisted in sending their children to a school where he believed their faith was in danger of being undermined. Now, he (Mr. G. H. Moore) was willing to acknowledge that Sir Robert Blosse, who had set up this school in Partry, had no desire to tamper with the religion of the children who came there for instruction; but, in excuse for the conduct of Mr. Lavelle, it should be remembered that that rev. gentleman had had before this to combat a system of proselytism, the most remorseless and unscrupulous that had for centuries been known in any country, and which had been carried out by the late Lord Plunket, the uncle of Sir Robert Blosse, and by the Protestant Bishop of Tuam. Against that system of proselytism, Father Lavelle waged an honourable crusade for many years, and he gradually won back the souls of his parishioners from the power of the tempter and the tyrant. It was not to be wondered at that the rev. gentleman, seeing the same powers assumed that were exercised before, should meet the enemy on the threshold and attempt to grapple with him before he had power to do any harm. Very likely it might be that Father Lavelle had not the power to exclude these people from his chapel; if, nevertheless, a certain number of his parishioners chose to obey his orders and leave it, neither Mr. Justice Fitzgerald nor the hon. Gentleman would hold that there was any power in law to compel them to remain. As their representative and neighbour, and knowing every one of them, he could assure the hon. and learned Gentleman that Father Lavelle and his parishioners understood each other perfectly well, and did not require his interference; and these men, about whose liberties he was so solicitous, would be minded to take considerable liberties with him if they heard him say a single word against Father Lavelle within any reasonable distance of Partry.

MR. GLADSTONE: Sir, I do not know how far it is fitting for me to interfere in this question. I must frankly own I do not quite understand the force and cogency of the reasons which induced the hon. and learned Gentlemen opposite (Mr. Charley) to bring a matter of this nature under the notice of the House. Had there been any case in Ireland in which there had been a notable failure of justice, or in which the law had proved insufficient for its purpose, it might have been expedient to call attention to it; but here there is nothing of the kind. The hon. and learned Gentleman does not complain of the manner in which the law has been administered, and he has not shown that it is inadequate for its purpose. I am very sorry that the hon. and learned Gentleman thinks fit to connect a discussion of this kind with the Bill for the disestablishment of the Irish Church, because the introduction of a topic of this sort does nothing but darken the case with prejudice and feeling, and tends to disturb that perfectly dispassionate frame of mind in which we ought to accustom, and, if necessary, compel ourselves to look at any question which purports to be a question regarding the administration of the law, or respecting acts said to be done against the law by a particular person. The Questions of the hon. and learned Gentleman are Questions he is entitled to put to me, and I will not at all decline to answer them on account of the circumstance that he has chosen to hang them upon a peg which appears to me not very appropriate for the purpose. He wishes to know whether it is the intention of the Government to do away with the National School system in Ireland, and he founds that Question upon the assumption that the desire of the Government is to conciliate the Church of Rome. Sir, I must beg to say the Government have no desire whatever to conciliate the Church of Rome. What the Government desire is that the Church of Rome, and every other Church in Ireland, should have justice, and neither more nor less than justice. Our desire for conciliation with the Church of Rome goes precisely to the same point as our desire for conciliation with everybody else: we desire to do all that is in our power to secure their rights, and prevent them so exercising or abusing their rights as to interfere with the rights of other people. But it is not the intention of the Government to do away with the National School system. I do not know why the hon. Gentleman should suppose there could be any such intention on the part of a Government which consists almost entirely of Gentlemen who, if they have been distinguished in anything with respect to education in Ireland, have been distinguished rather for the favour with which they have regarded the National School system and their desire to defend it against attack in the days of its infancy and debility than for any hostility to it, either open or concealed. The Government, then, have no desire to do away, or intention to do away, with the National School system in Ireland. Of course, it is their duty to consider from time to time the details of that system, with a view to remedy defects which may be discovered or may have crept into it in the lapse of time; that liberty they claim and exercise in their discretion, but with respect to the system itself they have no intention to do away with it, and I may say that they are generally of opinion, on a review of the thirty-seven or thirty-eight years that that system has been in operation, that it has been the means of conferring great blessings and benefits upon Ireland. With respect to the second Question of the hon. and learned Member, whether the Government intend to adopt measures for protecting the subjects of the Crown from acts of violence, I am bound to say I am not aware that there arises out of this case any necessity special in its nature for the adoption of any new measures for the protection of the subject. It was declared by Mr. Justice Fitzgerald that the turning out of the police officer and his family from the chapel was contrary to the law of the land, and the hon. Gentleman asks me whether I consider it is a voluntary system under which acts of this kind are done. If the act of Father Lavelle was contrary to the law of the land—which no doubt I must take it to be, inasmuch as it has been so declared by a learned and distinguished and most excellent Judge—it was in the power of the party aggrieved to appeal to the law of the land. The time for the hon. Gentleman to have asked the Government whether they intended to bring in any new measures for the protection of the subject would be, not when this party had chosen to forego his right of appeal to the law of the land, but when he had made an appeal, and had either failed through the weakness of the law, or had been subject to detriment in his person or property in consequence of his having made that appeal. I think, therefore, that the Question of the hon. and learned Gentleman, perfectly proper as it may be in itself, does not grow by any natural process out of the circumstances with which we are concerned. With regard to the voluntary system, I would only make this observation: if we view the matter with the strict eye of philosophy we may undoubtedly say that all undue influence whatever is *pro tanto* a deviation from the voluntary system. There are many forms in which undue influence is exercised in all spheres and circumstances of life. There are many forms in which external influence is brought to bear upon the conduct and action of a man to induce him to deviate, without any obligation so to do, through fear or favour, from what he may think the strict line of duty or of right. But, still, these are matters into which we cannot inquire. When we speak of the voluntary system in matters of religion we mean a system which does not appeal to the law for its support, but which, whether it depend upon due or undue influence, depends upon an influence to which the parties who are the objects of it submit voluntarily, and not under coercion. That is the meaning of the voluntary system; and if we apply the term to those systems in which nothing is done but precisely what is right, and just, and wise, that certainly will be so narrow a construction of it that I very much doubt whether, according to it, there is a voluntary system upon earth. I am much obliged to the hon. and learned Member for furnishing me with the materials of the statement he made, and I should be glad if I could return him the compliment—which I cannot—of saying that there was in the circumstances of this case any necessity for its being brought before the House of Commons. Of course, we know that in the condition of Ireland, where great heat and animosity prevail, many words will be spoken and many acts will be done, perhaps, by men of warm and zealous temperaments which even they themselves, in their cooler moments, and which, at any rate, the dispassionate judgment of society will regret. These are not to be viewed in this House without some consideration of what may be called extenuating circumstances, growing out of a morbid state of feeling in society, the result of evil traditions inherited from the past. What we have to ask is whether the law works, whether the officers of the law do their duty, and whether the ends of the law are attained; and it does not appear to me that in this case the hon. and learned Gentleman has affirmed the negative of any one of these propositions.

PATENTS FOR INVENTIONS.

RESOLUTION.

MR. MACFIE said, he believed the subject of the abolition of Patent Law had never been discussed in Parliament; it would, therefore, not be improper to devote some considerable portion of time to its introduction, but he proposed only to lay a general view of the subject before the House. In the first place, he asserted that legislation upon this subject should be based upon two principles —first, that the interests of inventors should not be considered before the interests of the nation at large; and, second, that there could be no property in ideas. The grant of a patent had always been a Royal favour, and no inventor could claim as a right the exclusive privilege of manufacturing or selling any novel production he might have invented. An invention differed altogether from the literary work of an author, which he (Mr. Macfie) would continue to protect. The manufacturers of this country were generally opposed to patents which enabled a man for fourteen years to prevent the whole country from using any improvements which he had found out. The days of protection had passed. The protection which manufacturers now claimed was protection from evil laws, in particular from the grevious injustices which the Law of Patent-right inflicted upon them. When the patent system was introduced, 250 years ago, trade in England was in a very much less developed state than that in which we now found it. The statute then passed declared that no patent should be granted so as to cause general inconvenience. The House of Commons that passed that statute was strongly opposed to monopolies. There is proof that they regarded as causing inconvenience any invention that would diminish manual work. It was said that if this idea had been acted on in construing the statute, every patent for an invention would have been set aside. It was much to be regretted that their idea had not been acted on. The courts had shown a great disposition to make the words of the statute elastic, and the result was that there was a deluge of patents. Innumerable evils had arisen from the courts giving other than a literal interpretation to the terms of the statute. If the letter of the Act had been adhered to, he should not have any objection to a patent system; but the present system differed *toto cælo* from that which our forefathers introduced and thought tolerable. He could adduce abundant evidence to prove that patents interfered very seriously and injuriously with trade, whereas, one of the conditions on which a patent was originally granted was that it should have no such effect. If manufacturers made the most trivial improvement in their manufactures, they were threatened by the owner of this patent and that patent that they were infringing their patent rights; so that the result of the Patent Law was to cripple manufactures. He would refer hon. Members to the evidence taken before a Committee of the House that inquired into the subject of the Patent Laws, to the evidence taken before a Committee of the House of Lords, and to the evidence taken before the Royal Commission. In the days of Sir Robert Peel, in 1829, the multiplication of patents was foreseen to be a great evil. In 1851, the Manchester Chamber of Commerce looked forward with fear to the multiplication of patents. He held in his hand a paper which showed how many wrongs were inflicted by the present system on manufacturers, patentees, and inventors who were not patentees. One particular law plea in connection with the defence of a patent cost the parties £100,000. The Royal Commission on the subject was appointed in 1863, and their Report was issued in 1864. Many eminent men were examined, and the result was that, though, as he believed, the bulk of the Commissioners entered on the inquiry in the belief that the system could be remodelled so as to be made defensible, they ended by arriving at a very different conclusion. The Report stated that the majority of the witnesses had decidedly affirmed the existence of practical inconvenience from the multiplicity of patents; and the Commissioners called special attention to the testimony given by the First Lord of the Admiralty and the various witnesses on behalf of the War Department, showing the embarrassment caused to the naval and military services by the multitude of patents taken out for inventions in use in those Departments. He believed the noble Chairman of that Commission (Lord Stanley) had said that, before legislating on the subject the first duty of the House was to inquire into the policy of patents. But though five or six years had elapsed since that time nothing had been done, and he believed the best course for the House to take was either to adopt his Motion *simpliciter*, or to call upon the

Government to issue a Royal Commission, so that the wishes of the country might receive attention. There would then be an opportunity of examining some of the working men of the country, who had complained that none of their class had been called as witnesses before the Committees, or the Royal Commission. From a Return lately published on his Motion, he would take a few widely separated years to show the increased number granted annually. While in 1650, the number of patents granted was 0, fifty years later it was 2; fifty years afterwards, 7; in another fifty years, 96; and it went on until, in 1825, it was 250, and in 1867, 2,292. Ireland, too, was a great sufferer by the present system, for whereas in 1800 there were only two patents in that country, now there were 2,292. That was one of the evils of the Union which he trusted that House would speedily redress. He hoped that the Reformed Parliament would speedily remedy that state of things. Almost the entire body of opinion formed on the consideration of the question was adverse to the continuance of these laws. This included the Chairman of the Lords' Committee of 1851, Earl Granville, and Lord Campbell; also Members of their own House, including Sir James Graham and the late Mr. Cobden; in France, Monsieur Michel Chevalier; and he (Mr. Macfie) was present at the meeting of German economists at Dresden in 1862, which almost unanimously came to the conclusion that Patent Laws ought to be abolished. The most eminent engineers and manufacturers had arrived at the same conclusion. Then came the question were they simply to abolish patents, or to adopt the idea of Mr. John Stuart Mill, that, if abolished, rewards should be given to inventors. M. Chevalier had given his verdict in favour of pecuniary rewards. The sugar refiners many years ago petitioned Parliament for the abolition of patents, and that inventions of merit should be rewarded by the State. There was this in favour of that view, that it was the State not the manufacturer who calls for patents and gains by inventions. Patents interfere with export trade. The improvements in iron of Mr. Bessemer, for example, though doubtless of importance, had had the effect of imposing a royalty of from £1 to £3 per ton. He (Mr. Macfie) had himself prepared a scheme for rewarding inventors of merit, but he would not now trouble the House with it. He should only ask the House, and he did so in the interests of the working classes, as well as of manufacturers, to determine that what had been created by the statute law and by the erroneous administration of that law should be cleared away, and free scope given to manufactures and trade. In conclusion, he begged to move the Resolution of which he had given notice.

SIR ROUNDELL PALMER, in seconding the Motion, said, he had long felt convinced that this subject was one of great and growing importance, which it would be necessary at an early period to bring under the attention of the House. He rejoiced that the work had been undertaken by a practical man like the hon. Member for Leith (Mr. Macfie), who could speak upon it, not under the influence of any of the partial views which possibly those who looked at it from a lawyer's point of view might be thought by some to entertain, whether they were in favour of or against patents. He was glad to find that practical men like his hon. Friend had arrived at conclusions which, in their broad principles, were substantially the same as those to which many Members of the legal profession who had had a good deal of opportunity of observing that matter had, in common with himself (Sir Roundell Palmer), come. He was bound to state that he thought the time had arrived rather for opening than for concluding the discussion of that subject. And, therefore, he hoped he should not be thought to do anything inconsistent with the duty he had undertaken in seconding his hon. Friend's Motion, when he said at once that, for his own part, he was inclined to go to the root of the matter and abolish patents altogether, and not attempt to substitute even such a system—although it might probably be preferable in many respects to the present system — of rewards as his hon. Friend had mentioned. Of course those who derived benefit—whether they were the public or were private individuals—from the discoveries which might be made if patents ceased to exist, might always take into consideration the value they received, and pay for that benefit, as he believed the Government now did, although it was not bound by patents, with respect to improvements which were useful to the public service. But that, he conceived, would be a very different thing from an organized system of rewards at all analogous to the present system of patents. He might mention, in passing, a third plan, which had found very able and authoritative advocates, and which he should also greatly prefer to the present system, although he thought total abolition would be better than that likewise. He referred to the plan of putting an end to the notion that every person who invented anything had a right to a patent, and recurring to what, he imagined, was originally the principle intended—namely, the giving of patents as a matter of grace and favour in well-selected and discriminated cases, in the exercise of a discretion by an authority entrusted with that discretion. But, as he had already said, he confessed that he himself was not for half-measures in that matter. He thought they had a right, as the Motion proposed, to say that at the period of progress in the history of the arts and of trade in this country at which they had arrived, they could do much better without these props. He called them props because he thought they were meant to be so; but he believed that, at present, they were nothing but obstructions and hindrances to trade and the arts. Let him, in the first place, notice the principle on which the Patent Law was generally supported. Some persons imagined that there was a sort of either moral or natural right in inventors to some such protection as was given by patents, and the principle was sometimes expressed in this way—that a man had a right to the fruit of his brain. Now, he held that invention and discovery were essentially unlike copyright. Copyright applied to a creation. A man wrote a book; he thus brought into existence something which had no existence in the nature of things before. The rest of the world were not in the race with him to write that particular book. When written, there was no difficulty in identifying it, and distinguishing it from all other books which had preceded, or which might come after it: it stood in no other author's way. But in the case of inventions and discoveries, the facts with which they were concerned lay in nature itself, and all mankind who were engaged in pursuits which gave them an interest in the investigation for practical purposes of the laws of nature had an equal right of access to the knowledge and the practical application of those laws, and might be equally in the track for obtaining it. All who were engaged in particular arts and manufactures were actually upon the track which led to the discovery of those results of natural laws, which were adapted to supply the wants and exigencies of those arts and manufactures; and the means of arriving at the knowledge of them was the common stock and property of all mankind who were equally in pursuit of it. He could not allow that the man who was first in the race of discovery could of right claim for fourteen years or any other term an exclusive property in a portion of the common stock of knowledge which was accessible to all who used the proper means of discovering it. It was a thing not reasonable in the abstract, and if justifiable at all it must be on considerations of public advantage and expediency, that the man who made the first discovery of a law of nature, or of the right mode of applying it, should have an exclusive right to apply that discovery for a certain period. It was said that patents were useful to the public either as stimulating invention or as insuring the publication of useful discoveries; and he did not venture to say that the time might not have been when they answered both those purposes. Bounties and premiums might be adapted to a rude state of the arts and an early stage in the progress of commerce; but, when a nation had reached so high a degree of progress in all ingenious arts and discoveries and in trade and commerce as we had, he thought that in this department as well as in others, the system of bounties and premiums was much more likely to be mischievous than useful. But of course one could not demonstrate that point by resting merely on an abstract proposition, and therefore he would ask the House to look at two or three things which it seemed to him would put the matter in a strong practical light. Patents might be divided into those which might be popularly called meritorious, and those which were not meritorious. The former class were certainly not one in a hundred of the total number of patents, and the latter class were very numerous in every year. How, then, did the system work as regarded meritorious patents? He supposed it would be admitted that among the most meritorious discoveries of recent times were the steam engine, the electric telegraph, and the screw propeller for ships. These cases furnished excellent illustrations of the way in which the patent system worked. There were whole families of patents connected with all three. Take the electric telegraph. According to the evidence of a scientific witness, it was not possible, even for those who best understood the matter, to say who was entitled to the merit of that invention, so gradual and imperceptible was the natural growth and progress of knowledge and discovery with reference to it. But about 400 or 500 patents had been taken out as marking different steps in the investigation of that subject. As to the screw propeller, he had seen a book which represented the collected patents of one company as being ninety or 100; and he understood that the case was very much the same in regard to the steam engine. They were not dealing, in the case of the most meritorious inventions, with a true discovery by a single inventor, but with an important branch of practical knowledge at which many men were working at the same time, and in regard to which each step attained indicated the next step that was to follow, and many persons together were on the road. Well, but if they were on the road the public would get the benefit of the discovery, and the question was whether, by enabling each person on the road to stop up the road at his particular point, they were not really retarding the progress of discovery, and throwing difficulties in the way of even the most valuable inventions. There was no one better acquainted with that subject than a friend of his—a gentleman very eminent both in science and in the law. He meant Mr. Grove; and those members of the legal profession who had to encounter Mr. Grove in a patent case knew they had a very difficult task indeed before them. Now, here were the words of Mr. Grove in reference to that subject—

> "Always when a discovery has been made, when the public has reaped the fruits of it, there is no case, and never was a case, either in the history of pure science or in the history of practical discovery, where it is not alleged—'If you look at such a book and such another book, you will find that so-and-so has been done, and you will find that it has been anticipated.' That is partly true and partly false. There are in all such cases approximate anticipations. The difference is, that one man gets at the points, hits the real thing which will do it, and the reason why it will; whereas, other people, although they may have got the thing, have not acquired an accurate knowledge which will enable them with certainty to produce it."

That showed the House that the race was so close that even the man who had practically got the thing might be shut out by somebody else who did it a trifle better. Nothing could be more true than that. Would the House allow him to quote the example of a very important patent, which he thought would make the matter clear, and indicate how much they might lose by a system of that description. For a very long time the distillation of oils from shale and coal had been a matter of the common knowledge—ay, and of the common practice, of mankind. Early in the present, or towards the end of the last century, it was practised by means precisely similar in all material points to those which the present patentees used in this country. But it was not known commercially that there was such a thing as paraffin, nor was it known commercially how to distil it. The oil was, indeed, obtained in a rough way, without that nicety of discrimination which afterwards resulted from scientific knowledge of the article itself. All chemists knew that in order to get these oils instead of a gaseous product it was necessary to keep the temperature as low as possible. This was the state of knowledge when a great German chemist discovered that by operating on wood, tar, and other substances, he could produce paraffin in small quantities. He also said it could be got from coals, in precisely the same way, as was subsequently done by patentees in this country. But still the German chemist's experiments were of a scientific and not of a commercial character. He neither produced it commercially, nor did he hit upon the material from which it could be commercially produced. The same oil could be and was produced from shale. Only the other day there was discovered in Scotland a new kind of mineral, as to which the scientific world were at variance whether it was coal or shale. Patents had been already taken out for distilling oil from shale, and, therefore, if the newly-discovered substance were shale, the oil could not be obtained from it without the infringement of those patents. But a patent was taken out by a gentleman, who stated that his object was to distil bituminous coals at a low red heat for the purpose of distilling paraffin. In point of fact, he hit upon a mineral which was *in ambiguo* whether it was coal or shale, but which the authorities ultimately pronounced to be coal. From this substance the oil could be produced in larger quantities than from any other known mineral. This gentleman (Mr. Young) took out his patent, notwithstanding all the previous knowledge on the subject, and it was held to be good, notwithstanding the fact to which the learned Judge who decided the case in one of its branches referred in the following terms:—

> "There is ample evidence that the attention of practical chemists was previously to the date of Young's patent laboriously directed to discover the proper material and the proper means of producing these articles in sufficiently large quantities for common purposes."

The public literally had in their hands all the necessary elements of knowledge belonging to the subject, and yet the first person who found that this particular coal would distil better than others excluded the rest of the world from that manufacture for fourteen years, and of course amassed a large fortune. Substantially, the test in the courts of law was not priority, but commercial success—whether a man had made money and brought the manufacture into use. If so, the courts assumed that all previous knowledge was inadequate and useless, and the man who was successful in the manufacture was regarded as the discoverer. Was it not quite clear, however, that the public were so far on the road to this discovery that it would have assuredly been found out and enjoyed by the public at large if the path had not been obstructed by the patent? He would now mention another case. In the days of their youth mills were much infested with flour flying about in them. All the millers, both in this country and abroad, wanted to get rid of this nuisance, and they were possessed of the scientific principle and the mechanical means by which this desirable object could be accomplished. They tried experiments with fans, which created a draught to draw the air from the millstone cases; but everything depended on the adjustment of a plan to draw just sufficient air and no more. People were actually on the road, and were doing the thing in an imperfect way—in a way which if they had continued after the granting of the patent would probably have made them infringers of it. But the man who proposed to do just enough, and no more, was held to be entitled to a patent, whereupon all the millers in England combined to go into litigation in order to defend themselves. Lawsuits of the most enormous and oppressive magnitude resulted simply from the circumstance that a man had been allowed to step in and prevent the millers from carrying on their business in the best way. That they would have found it out was certain. [An Hon. MEMBER: Oh, oh!] Well, that was certainly the impression on his mind. He thought it was almost certain that the discovery being in the direction of their necessity and depending on the application of a known principle, and of known mechanical means, was a discovery which could not, in the course of nature, have been long delayed. Having said thus much about those patents which were meritorious, he would make a few remarks on those which were not. A great number of patents were simply frivolous, and related to practical nothings; but still nothings affecting trades, and standing like lions in the path to frighten tradespeople, and to expose them to risk, litigation, and annoyance, if they manufactured those articles which they ought to be at liberty to manufacture. Then there were other patents of a less frivolous nature. They related to some slight improvements or combinations of a kind which really was so plainly in the open path, that everybody ought to be at liberty to use it. Most of these were themselves so limited and imperfect, as, without further improvements, to be of little or no use. These, however, furnished the staple of the great majority of patents, which, though they did no practical good, operated to a great extent in hindering subsequent inventors in effecting further improvements, because these patents covered and incumbered almost the whole ground of everything that could be possibly done. An inventor, unless he paid a tax to the owners of prior useless patents, was exposed to litigation, and even if he were willing to pay the tax, the owners of the prior useless patent might refuse to grant him a license. Thus, for the space of fourteen years, these useless patents might not only do no good to the public, but might actually stop the road to all further improvement during that long period. On this subject evidence had been given before the Royal Commission in 1864, by three persons of eminence—Mr. Scott Russell, Sir William Armstrong, and Mr. Platt. These gentlemen agreed in saying that the useless patents to which he had just referred were a practical nuisance; and, if so, it was obvious from their number that they must be a very great nuisance. Mr. Scott Russell said—

> "There are a great many patents of this kind (practically useless, but not appearing so on the face of them) taken out for boilers of steam-engines; and boilers of steam-engines admit of very enormous variety of shape and proportions, without damaging their efficiency. The consequence is, that it is hardly possible at this moment for a man having to scheme a boiler for a new situation or new circumstances to avoid putting his foot in so doing into a trap which somebody has previously set for boilers. . . . Nearly the whole of the patents for the boilers of steam-engines at this moment are of no practical value to inventors or to the public; but they are continually getting every man who makes a boiler into a scrape with some patentee, because almost every conceivable form of boiler having been previously patented, and bit of a boiler, one cannot make any sort of boiler without infringing some man's patent."

He said precisely the same thing of screws. Then Mr. Platt, a well-known machine maker, said—

> "I think that there is scarcely a week, certainly not a month, that passes, but what we have a notice of some kind or other of things that we have never heard of in any way, and do not know of in the least, that we are infringing upon them; and the difficulty is to get at any knowledge. We may be now infringing, and may have been infringing for years, and a person may have been watching us all the time, and when he thinks that we have made a sufficient number, he may come down upon us, and there is no record. If a thing is entirely new, there is a record by getting a description; but what I mean by a description is this—a very large number of patents are now taken out for what is termed a combination of known things for the same purpose, and the descriptions of those patents are generally so bad, that it is impossible to tell the parts that are actually patented. It is only when you come into court, or after making some compromise rather than go to that expense, that you ascertain that fact, and very likely they themselves in many cases do not know the parts that they have actually claimed. It appears to me that, as to that question of combination, the granting of patents for things to do precisely the same work in the same machine, with the addition, perhaps, of a chain or a couple of bolts, or the form of the lever changed, a straight lever made into a compound one; in matters of that kind it has become a very serious question as to conducting a large business."

These were examples which it would be very easy indeed to multiply, and if the objections he had urged against the meritorious patents were well founded, what could be said in favour of this large proportion of patents which were simply obstructing the trade and commerce of the country? Could anyone doubt that in the present advanced era of knowledge the public would gain, on the whole, by the abolition of the Patent Laws? Before he left that part of the subject he wished to mention one very pregnant fact. There was in this country a powerful consumer—he meant the Government—which, with respect to fire-arms, cannon, ships, and things of that sort, would be placed in a very singular position indeed if it were subject to the Patent Laws. During the time he had the honour of being a Law Officer of the Crown an extensive war was, as the House was aware, unfortunately raging, and a large number of patents had come under his consideration in connection with so-called improvements in fire-arms, ordnance, and ships. It would be seen from the evidence to which his hon. Friend (Mr. Macfie) had referred that the authorities at the War Office and the Admiralty had patentees swarming like hornets about their ears, and that the public service seemed in consequence likely to to be obstructed to a very inconvenient extent. The question was then tried whether the Crown was bound by patents at all, and a decision was obtained to the effect that it was not. But while the Crown was free it should be remembered that the people at large were subject to the law as it stood; and, if in the case of the Government the claims of patentees were found to be monstrously inconvenient, it might not be difficult to believe that they operated in the same way in the case of the rest of the world also. He should not enter into the minor details of the improvements which had been recommended by the Commission of 1864, but there was another point to which he wished briefly to advert before he sat down; he alluded to the question of the protection of the public against invalid and bad patents. The whole argument in favour of patents proceeded on the supposition that the public were likely to be really benefited by some discovery which was worth the price of all the inconvenience and obstruction to which they were exposed under the present system. But suppose that in a doubtful case it was said that the information was possessed before, and that nothing had been gained. What was the position in which they stood? Was there really any protection in that respect in the duties which were discharged by the Law Officers of the Crown? Those duties, though he trusted they had always been carefully and intelligently discharged, had no such object in view, and could not be made to accomplish it. It was impossible for the Law Officers of the Crown, acting on the mere statement of the patentee, to know whether a so-called discovery was new or not. They could only examine into the question whether an alleged invention, as described, was or was not such as to satisfy certain general rules; but they could in no way protect the public against having an old thing put forward as a new, or a useless as a useful invention. They had no choice but to pass everything that was not on the face of it bad; and he agreed with the Commissioners that any attempt to establish a preliminary examination into the novelty or utility of patents must necessarily fail, so long as the granting of patents was a matter of right and not of discretion. And what was the result when a patent came to be disputed in a court of law? Everybody was aware that such litigation had acquired a reputation infamous beyond every other. In the Paraffin Oil Company's case, which had been referred to, the time occupied before Vice Chancellor Stuart was not less than thirty whole days. Why was so large an amount of time consumed in those cases? Because it was necessary to enter into the whole history of the discovery, and of the arts and sciences connected with it, in all its numerous stages; and to beat up witnesses all over the country, who were able to say whether they had ever seen the same thing before, or anything like it; so that a voluminous mass of scientific and commercial evidence had to be produced. That was the reason why the expense in those cases was so enormous, while the public were in every point of view placed at an immense disadvantage; for the presumption was in favour of the patentee, who, if he happened to have succeeded in an action against another person, was entitled to have the fact put in evidence in the case, and might subject his opponent to extra costs. But that was not all. The defendant in such an action might fail, even though he proved, to the satisfaction of the common intelligence of mankind, that the alleged invention was not new, and that it had even been described in some other patent. In a case, he believed, of a patent for the purifying of gas by the use of oxide of iron, it appeared that there were two kinds of oxide, the hydrous and the anhydrous, and that the one would effect the object while the other would not; but because the terms were general, although everybody who tried the experiment might arrive at the result desired, the patent was held to be bad, and another person who took out another patent for the hydrate had his patent made good. Lord Westbury, who was as well acquainted with the subject as anybody who had in recent times occupied the Woolsack, said, in 1862, in speaking on that point—

> "To vitiate a patent by prior publication, whether in a prior specification or in a published book, &c., the antecedent statement must be such that a person of ordinary knowledge of the subject would at once perceive, understand, and be able practically to apply the discovery without the necessity of making further experiments. If anything remains to be ascertained which is necessary for the useful application of the discovery, that affords sufficient room for another valid patent."

The case of Betts' capsule patent, which involved costs to an enormous amount, was somewhat similar. There, this was the state of things—A gentleman had taken out a patent in 1804, and in his specification stated that if you put together plates of tin and lead, of equal or unequal thicknesses, and carried them at a hard pinch through rollers, they would adhere, and you would be able to get a good material. It turned out that the thing would answer well if you adopted proper proportions of thickness but not otherwise; and the person who indicated these proportions got a good and valuable patent in 1850. In that case Lord Westbury laid down the doctrine that if the two specifications, one dated 1804, and the other 1850, had been in the very same words, it would not follow that they described the same thing, and that it would be still necessary to prove what was meant by the specification of 1804, and that practical men could then have worked from that description, to show their identity. It would be seen, he thought, from what he had stated, that the public were placed at a great disadvantage in the contest. In dealing with patent cases in a court of law there was generally a vast array of witnesses to be examined, consisting of mechanics, chemists, and scientific men of all sorts on one side and the other. It was said that the construction rested with the court; but the effect of all this evidence, after all, was for the jury, who knew nothing of the subject; and the Judge might be placed in a still worse position, because he might imagine he understood all about it when he did not. He did not, of course, mean to say that the Judge did not sometimes very well understand it; but it might very easily happen that an ingenious professional witness might so argue the case, under the form of giving evidence, as to lead a Judge to think that he really knew all about it when such was not in reality the fact. Then the bias being in favour of the patentee, the result of such trials almost invariably was, that if the matter happened to be of any practical importance, the public were defeated, after having endeavoured to protect themselves at an enormous expense. He would not enter into minute details, but probably he had said enough to show that a great practical evil arose out of Patent Laws, and that for this evil there was little or no corresponding benefit. He did not think that we should lose really valuable discoveries if the Patent Laws were abolished. There might be some rare instances in which particular circumstances might give to particular trades motives and facilities for suppressing by combination discoveries which were not patented. But, assuming that to be possible in some cases, the same causes operated even now, for it was well known that patents were often bought up for the purpose of being suppressed; and it was understood also that inventors were frequently the persons who derived the least advantage from their inventions. His conclusion, therefore, upon the whole matter was that the time had at last arrived—even if it had not arrived some time ago—at which the public interest would be promoted by the entire abolition of the present system of monopoly.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the time has arrived when the interests of trade and commerce, and the progress of the arts and sciences in this Country, would be promoted by the abolition of Patents for Inventions,"—(*Mr. Macfie,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

LORD STANLEY said, that agreeing substantially in the arguments of the hon. and learned Gentleman who had just sat down, he should not have troubled the House if it had not been for the circumstance that he was Chairman of the Royal Commission which sat upon the question of the administration of the Patent Law some years ago; and he thought, therefore, that it might be expected from him that he should state what was the result which that inquiry had produced upon his mind. There was no doubt that, quite apart from the principle of the law, the details of the law, as at present administered, were not satisfactory; and, if a Patent Law were to continue in any form, he believed that in the Report of that Commission various suggestions would be found by which the most prominent objections to its present working might be removed, and fair trial might be given to the principle itself. But it was impossible to carry on an inquiry of that kind, even limited as it was—it was impossible, at least for him, and he believed he was not the only one in that position — without a doubt being forced on one's mind whether any Patent Law could be framed in such a manner as not upon the whole, upon the balance of good and evil, to do more harm than good. That conclusion, he was bound to say, was totally opposed to his earliest impressions upon the subject. He resisted it for some time; but the more he had to look into this matter — the more he had to consider how great were the practical abuses and inconveniences of the existing system, and how difficult it would be to remedy them — the more clearly it appeared to him that the evil was really irremediable, being inherent in the principle itself. On this subject of patents there had been a certain amount of prejudice, particularly in the minds of literary men, who appeared to think that copyright was only a modification of the same principle, and that, if patent-right were abolished, copyright would soon follow. The analogy seemed a plausible one, but he thought that, on being looked into, it would not hold water. The difference was simply this—he did not rest it on any abstract ground, as to the distinction between invention and discovery, but on the obvious fact that no two men ever did or ever would write, independently of one another, exactly the same book; each book, be it good or bad, would stand alone; whereas, it might happen, and often did happen, that two or three, or even half-a-dozen men, quite independently of one another, would hit upon the same invention. That fact alone established a distinction between the two cases. He was not disposed to place the objection which he entertained to the system of patents upon the ground of any abstract impropriety in giving a man a property in ideas. To a certain extent you did, in the case of copyright, recognize a certain qualified and temporary property in ideas; and, if it could be shown that a man's ideas had been of a nature to add greatly to the wealth of the country, he did not think that any abstract objections of the kind mentioned by the hon. Member (Mr. Macfie) would induce anybody to grudge to such a man any reward to which he might fairly be entitled, provided that that reward could be given in a manner free from objection on other grounds. The objections which he felt to the principle of patents were three-fold. In the first place, you could hardly ever secure the reward going to the right man. In the next place, you could not establish any proportion between the public service rendered and the value of the reward received nominally for that service. And, thirdly, you could not, by any arrangement that he had been able to discover, prevent very great inconvenience and injury being inflicted upon third parties. With regard to the first point—the difficulty of securing that the reward should go to the right man—it must be remembered that a patent did not, as some people supposed, bring to the holder of it an immediate pecuniary recompense. All that it did was to give him a right to prevent anyone else from using his invention without paying for it; in other words, if his patent were infringed, he was entitled to take legal proceedings. But everybody knew that the law was costly, and that patent suits were the most costly of all. It was notorious that patents were continually infringed by persons who well knew they were infringing them, but relied upon the inability of the inventor to incur the expense of defending his property. If a poor inventor took out a patent, and the patent promised to be productive, in nine cases out of ten, the only thing he could do with it, to bring himself any profit, was to sell it to some one who could command capital enough to defend it in a court of law. If the patent remained in his own hands, it was quite sure to be infringed, and then he would probably be crushed by legal expenses. He did not know whether it would be possible to obtain accurate information upon this point; but he really did not think he should be exaggerating if he said that in nine cases out of ten—probably in ninety-nine out of 100—the reward was obtained, not by inventors or their representatives, but by persons who had bought the patent on speculation, and at a very low rate. He said at a low rate, because there was a great deal of uncertainty about such property; until a patent was tested by actual working you could hardly say whether it was valuable or not, and the doubt necessarily kept down the price. What was the practical effect of this? Why, that a few great firms in any branch of business, buying up, at a low rate, any new patent applicable to their business, and prepared to fight for it, could so hamper other competitors as to secure a practical monopoly. The reward, therefore, did not, as a rule, go to the men who, on the ground of the public service rendered by them, were intended to receive it. As to the second point—that the reward might be great and the public service very small—that had been dwelt upon by the hon. and learned Gentleman opposite (Sir Roundell Palmer), and little need be added to what had been said by him. The merit and novelty of the invention might in many cases be almost nothing, and yet, however obvious it might be, however much it might lie, so to speak, in the high road of discovery, if it applied to any article of general use, the pecuniary reward derived from it might be absolutely out of proportion to either its novelty or its value. It would be easy to give instances, but he apprehended that the fact was familiar to everyone who had studied this question. Then, with regard to the injury to third parties, it commonly happened that half-a-dozen men, who were competing in the same line of business, were upon the track of the same discovery. Each of these half-a-dozen men would probably have hit upon the invention which was wanted, independently and without communication with the other. But the first who hit upon it and who took out a patent for it was thereby entitled to exclude the general public and his competitors from the use of that which, if he had never existed, they would probably have hit upon within a few weeks. A and B reached the same point, one a week or a fortnight before the other, and A became entitled, by the mere accident of that priority, to exclude B from a process which, a little later on, B would have hit upon for himself. Another case was that where the successful working of a process depended not upon one but upon several successive inventions. The first two or three, not leading to any immediate practical result, might not have been thought worth patenting. The last link in the chain gave to the whole their commercial value, and it was the person who took out the patent for the last invention who got the benefit of the whole, although it might be by no means the most important invention in the series. He would say nothing of the inconvenience caused to manufacturers in general. That was obvious enough, and the question was whether there was any counterbalancing advantage. These were the main considerations which led him to the conclusion that it was impossible to defend our system of Patent Law as it stood. At the same time, he did not at all disguise from the House that there were certain inconveniences and difficulties in the way of abolishing patents altogether. You had to guard, in the first place, against the danger of encouraging inventors to keep their discoveries entirely to themselves. In some branches of business, no doubt, that would be possible, and the obvious effect might be to shut out the public, for a much longer period than would be the case if patents were allowed, from the use of some valuable invention. Then it had been suggested by the hon. Member who raised this debate (Mr. Macfie) that there might be a system of State rewards for the encouragement of really meritorious inventions. Without putting an absolute negative on that plan, he thought it was one that ought to be entered upon with great caution. Inventors were a jealous race; and it would be a very difficult thing to apportion among them the rewards to which they might think themselves entitled. The distribution of the rewards could be governed by no clear and simple rule; it would give rise to endless complaints, and would occasion, however unjustly, suspicions of jobbing and partiality. With regard to the suggestion thrown out by the hon. and learned Gentleman (Sir Roundell Palmer) of the possibility of reverting to the older administration of the law, and granting patents not as a right but as a matter of discretion only in certain limited and important cases, the Commission considered that point very carefully; and he was bound to say that the difficulty of carrying it out appeared to his mind almost insuperable. There would be found great difficulty in drawing the line, and it would not be an easy matter for anyone to exercise so large a discretionary power as to decide what inventions were really valuable and important and what were not worthy of patenting. He did not know what tribunal would be fit to exercise so great an authority, and he was sure that none would be able to exercise it in a manner to give satisfaction to the public. The most fit persons to decide in such a case would, seeing the difficulty of the task, be sure to decline to undertake the duty. Under these circumstances it appeared that they were landed in a position of great embarrassment. He was convinced that the Patent Laws did more harm than good; but, at the same time, he saw certain hard cases that would arise from their entire abolition without any means being provided for the rewarding of inventors who might really be deserving of it. If called on to say "Aye" or "No" to the Motion, he should certainly give his vote in favour of it; but, as this was a matter of great delicacy, and which required very careful handling, he should be content to leave the question in the hands of the Government, and he thought it was well worth consideration whether they could not institute some inquiry, starting, not on the same ground as the Commission did some years ago, but on the ground that the abolition of the Patent Laws, wholly or partially, was desirable, with the view of discovering, if possible, the best mode in which that abolition could take place, and the best substitute for them in certain cases.

MR. J. HOWARD said, he thought the hon. Member who had introduced the subject had been singularly fortunate in finding so able a seconder as the hon. and learned Member for Richmond (Sir Roundell Palmer). He had listened with much attention and no little interest to the objections and views, not only of the hon. Member who had brought forward the Motion (Mr. Macfie), but also of the noble Lord opposite (Lord Stanley), and of the hon. and learned Gentleman who seconded it. It appeared to him that most of the arguments that had been urged did not touch the principle of a Patent Law, but went rather to the defects of the existing law and its administration. In dealing with the objections raised by the hon. and learned Member to the principle of a Patent Law, he felt at how great a disadvantage he stood in having to combat the views of so able and distinguished a man; but it appeared to him as a plain practical man that the arguments used were more subtle and theoretical than sound. He maintained that the greater portion of the arguments of the hon. and learned Member did not apply to the principle of a Patent Law which he had assailed, but to the defects of our present system. If we would condescend to borrow some ideas from America, many of the objections which have been urged to-night would fall to the ground. A greater part of the evil complained of resulted from the sham examinations which now took place on the application for patents. The hon. and learned Gentleman said it was impossible for the Law Officers of the Crown to institute a proper inquiry; but, seing that they received about £16,000 a year for that duty, it was desirable to know why it could not be performed. Again, the Act of 1862 made provision for the appointment of additional Commissioners; but this had not been carried into effect, consequently patentees had great cause to complain of the administration of the law. The difficulty in trying patent cases mainly arose from the loose and imperfect way in which the specifications had been permitted to be drawn up, so that it was impossible to say what was new and what was old in them. He was prepared to show the House how these evils might be remedied, and these difficulties overcome, but this was neither the time nor the occasion to do so. The hon. and learned Gentleman had alluded to the three great inventions of the age — the steam engine, the electric telegraph, and the screw propeller—but was he prepared to maintain that these inventions would have reached their present state of perfection without the stimulus of the Patent Law? One objection urged against the Patent Laws was, that patents gave a monopoly, and acted as a restraint upon trade. He admitted that, as at present administered, they did so; but if the State in granting a patent gave no exclusive right, and patentees were obliged to grant licenses on reasonable terms, to be settled by an independent body, this objection would be removed. There existed under the present system what is termed "dog-in-the-manger" patents, which are an unmitigated evil, and should be swept away. The hon. and learned Member had also alluded to an important and well-known invention in the grinding of corn, and had, he would say, jumped to the conclusion that it could not long have remained undiscovered, but he would ask what grounds had he for this assertion? The fact was that the world had gone on for 3,000 years grinding corn, without any material improvement in the method, until a man of genius like Bovill arose to make the discovery, but who, owing to the disgraceful state of our laws, was afterwards worried to death by litigation. Although he did not agree with the conclusions arrived at by the hon. Member for Leith (Mr. Macfie), he felt indebted to him for having brought the subject before the House. Much misapprehension undoubtedly existed in the public mind on the question of the Patent Laws and their administration. This discussion would enable hon. Members to clear away some of the mist and doubt that prevailed. It appeared to him that the main arguments had tended to show the necessity for an amendment rather than an abolition of the existing laws. That the Patent Laws as they now exist, and as they are at present administered, are open to grave and serious objections he readily granted; but that their abolition would result in advantage to the country, or to the welfare and interest of any particular portion of the community he altogether disbelieved. It must be remembered that England has at the present day most formidable rivals in France, Germany, America, and Belgium; and that her manufacturers and workmen have to compete with the manufacturers and workmen of these countries, who have availed themselves, not only of the best English models, but have adopted those facilities of rapid production originated in our English workshops, and hitherto peculiar to them. The only chance the English manufacturer has of maintaining his place in the race is by adopting improved designs—finding out means to reduce the cost of his productions, and introducing improved plans for securing perfect workmanship. These objects can only be obtained by much thought and great effort of the brain; and, as the race is a close one, and every year is becoming closer, it appeared to him that, instead of the State taking away a stimulus to invention, the nation is deeply interested in finding out in what way inventions and discoveries can be further stimulated; how research and means of improvement can be extended not only to the higher class of inventors, but to our working population, among whom thousands are to be found of a mechanical or scientific turn. This was abundantly evident to all who had visited the industrial exhibitions of working men's productions in London and elsewhere. When in Washington some two years ago, no building he had seen in the States made such an impression on his mind as the Patent Museum in that city. It was so superior to anything of the kind in England that he felt almost ashamed that our old country was so much behind the new. This museum was in fact a great educational establishment, to which not only the inventors, but the public resorted for information. Every patent for which the United States had granted letters was not only classified there, but models of the inventions were arranged chronologically; while in another spacious and beautiful apartment were models of all the rejected patents, so that anyone could go into that museum and trace the progress of the various inventions step by step. He could not help thinking that a similar establishment in England could not but have considerable effect on the national weal. The noble Lord opposite, and the hon. and learned Member for Richmond, had drawn a somewhat subtle distinction between the production of a book and a machine, or other invention; it appeared to him that a book, a piece of music, a painting, and an invention, are all alike products of the brain; and the natural right of the author of a mechanical invention should be recognized by the State as fully as that of the author of a book. The noble Lord had said no two men ever wrote the same book at the same time, which is undoubtedly true; but he had frequently found that two authors writing almost simultaneously conveyed precisely the same ideas, though not in the same language. Exactly so, if two men invented similar machines simultaneously, it was never found they carried out their ideas precisely in the same mechanical way. With respect to the statement of the hon. and learned Member for Richmond, that the laws of nature were the common right of mankind, which must be freely admitted, he held that the argument based upon it was untenable. The inventor made use of the laws of nature just as the author of a book used the common language of mankind. He might be obtuse, but for the life of him he could not see that the cases were not strictly analogous. He would ask hon. Members, who were unacquainted with mechanical subjects, what would be the effect of abolishing the Law of Copyright? Would the literature of the people be thereby enriched—would the taste of the country be improved? He believed the abolition of the Patent Laws would have on mechanical, chemical, and other industrial pursuits, precisely the same effect as the abolition of the Law of Copyright upon literature and the fine arts. The hon. Member who introduced this subject said he would not withhold compensation from a meritorious inventor, but he would ask who was to decide the knotty point of merit, and its money value? At present the State very wisely left this to be decided by a discerning and purchasing public, and he believed it would continue to do so. To his mind it would be altogether *infra dig.;* to him, personally, it would be revolting to have to go, cap in hand, to the Chancellor of the Exchequer, or some other State official, to press his claim for compensation, or get some powerful political friend to do so for him. No—from past experience of Government treatment, inventors would never consent to be left to the tender mercies of a State Department, but would prefer to confide their claims for reward to a discriminating public. That the Patent Laws and their administration should have been left so long unreformed is a scandal to former Parliaments. The machinery is costly, cumbrous, and withal uncertain and inefficient. Inquiries have been made, and a Royal Commission years ago passed condemnation, and suggested reform; but nothing, or next to nothing, has been done. We have the finest library of patented inventions in the world, yet the bulk of it was stowed away in a passage six feet wide. He knew it well, having often been there. It was really a passage just 6 feet 3 inches wide, and formerly led to the offices of the Master in Chancery. Could it be believed that such a state of things had been allowed to exist when, since the passing of the Patent Law Act of 1852, the surplus revenues of the office had been over £650,000, but a fraction of which had been expended for the benefit of inventors who had contributed the money? He held that the surplus should be devoted not to increasing the general revenue, but to promoting patent objects and the general advancement of science. He thought, as he had previously stated, this was scarcely the occasion for entering into details concerning the improvements necessary in our Patent Laws, but expressed a hope that, when the subject was taken in hand by the Law Officers of the Crown—and he had reason to believe they would take it in hand next Session—they would provide the means of a *bonâ fide* examination of all inventions before patents were granted, and also provide that the specification should be so clear that the public may know what really the patent was granted for, and thus save the ruinous cost of legal proceedings. He would conclude by declaring his deliberate conviction that, if they wished to undermine the manufacturing and commercial greatness of England, they could not take any more effectual mode of doing so than by abolishing the Patent Laws.

Mr. MUNDELLA said, he wished the House to consider what would happen if the Patent Laws were abolished. He had been for twenty-five years connected with manufactures as an employer, and during that time he might say he had more than twenty patents, in every one of which he had a working man in partnership with him. He had never made an invention in his life; he did not know in his neighbourhood of one invention made by an employer. Inventions were generally made by working men; and a working man now received from his hon. Friend the Member for Bristol (Mr. Morley) and himself a third share of the profits of a patent invention which had already produced to him £2,000. About fourteen years ago he went into a garret where he found a poor man working on a circular revolving machine which he had fixed on the bottom of a wooden chair—the only chair in the room. For seven years he had been patiently working at it. It was completed. It was patented. He purchased it. The poor man had his share and was now in comfort and independence. No parties had a greater interest in the maintenance of the Patent Laws than working men; and, if they received no protection here for their inventions, they would soon carry them off to France or America. He did not say whether Patent Laws were right or wrong; but he could not discover the distinction which had been drawn by the hon. and learned Member for Richmond (Sir Roundell Palmer) between a book and an invention, both being the production of the author's brain just as much as the speeches of learned counsel, for which they were paid before they were given to the public, otherwise they would be wanting a Patent Law for their speeches. Every civilized nation in the world except one had a Patent Law. That the present law stimulated useful inventions was abundantly proved by the lace and hosiery machinery in the town of Nottingham, which was unparalleled in the world, and which had been perfected by the working men of that town. It was a great mistake to say that patents inflicted a hardship on the public. Patentees had found out that to attempt to keep a patent to themselves was a mistake, and that it was much better to grant licenses with as small a royalty as possible, in order to get a large number of them in use and to enhance the consumption of the article as much as possible. He was himself the part proprietor of a patent which reduced by about one-half the price of an important article of clothing. Who had the benefit of this? The public got more than nine-tenths of the reduction, and the other tenth was divided into three parts between the inventor and the two proprietors. There was the greatest difficulty in establishing the right to patents, and constant litigation and anxiety in maintaining them. All this pointed to a reform of the Patent Laws; for they were so vague, uncertain, and ambiguous that it was never known whether a patent was secure. Sometimes, when it was known an invention was coming out, a man who had heard the nature of it described went off and patented the idea. He could not do that in America. There he must deposit a working model, and a committee of scientific men sat and declared whether it was a good and valid invention or not. The result was that there were 11,000 patents per annum taken out America, against about 2,000 in this country. Nowhere had so much been done to develop industrial inventions as in America, and this was mainly owing to the excellence of the Patent Law in that country. He trusted that the House would consider the interests of the working men, and revise the Patent Law so as to give them a fair share in the products of their discoveries. The patents called "dog-in-the-manger patents" ought to be prohibited, and some Board appointed which should grant licenses to work patents at a reasonable rate.

Mr. STAPLETON said, he was much pleased to hear the able remarks of the hon. Members for Bedford (Mr. J. Howard) and Sheffield (Mr. Mundella) in favour of Patent Laws. The Motion of the hon. Member for Leith (Mr. Macfie) seemed to have the object of killing the goose that laid the country so many golden eggs. He appeared anxious to get rid of patents, but without giving inventors any encouragement. He (Mr. Stapleton) had no wish to put inventions and discoveries higher than they had been put by the hon. and learned Member for Richmond (Sir Roundell Palmer)—namely, that no man could have an absolute right in his ideas and inventions longer than he kept them secret; but he met that by saying that every labourer was worthy of his hire, and if that was not given to a man they must not expect to get his work. There were three classes of inventors—the master manufacturer, the labourer, and the man of science who made invention a pursuit. The master manufacturer could repay himself at the expense of the community by keeping his invention a secret, and preventing others from using it; but the labourer, unless he had a Patent Law for his protection, would go unrewarded for his time and trouble. As to the third class they might turn their attention to something else; but it was desirable that every man should pursue the course of life which would do the greatest good to mankind, and if a man were likely to make discoveries it was to the interest of society to encourage him in that career. He could not, therefore, agree to any proposal to do away with the Patent Laws. It was a weak proposal; it appeared to him what they should do would be to amend them. No doubt, as the noble Lord the Member for King's Lynn (Lord Stanley) had said, the question was surrounded with difficulties, but the noble Lord had not shown that they were insurmountable. Some more definite description ought to be insisted on before a patent was granted, and he (Mr. Stapleton) thought the American plan, that of requiring models to be deposited, was one deserving of consideration. He was also of opinion that the time for disputing the patent should be limited, and that the time allowed for the use of the patent might in some cases be reduced. A patent should be redeemed when it was found that it would be conducive to the public interest that it should be redeemed, and that should be left to Chambers of Commerce to decide, the patentee of course being paid the fair value of his patent—the amount to be raised by subscription from those who were interested in the invention. Patentees should also be compelled to grant licenses at a reasonable rate. A great improvement had been affected by the practice now most common of investigating disputes as to patents in the Court of Chancery. A claimant must set forth in a bill that he had a good patent, and show that there had been a distinct breach of it, or it would be open to demurrer. Then the defendant must deny the breach in his answer on oath before there was any issue which could be tried before a jury. This was less expensive than trying patent cases at Common Law. If they did away with Patent Laws altogether invention would be damped and discouraged.

LORD ELCHO said, that anyone who had attended to the discussion must have seen that the question was surrounded with great difficulties, and it required a man who had studied the subject deeply, and had maturely formed his opinions, to be able to give a distinct opinion upon it. But having heard the opinion of the hon. Member for Leith (Mr. Macfie), the philosophy of patents so ably illustrated by the hon. and learned Member for Richmond (Sir Roundell Palmer), and having likewise listened to the philosophical view of the question which had been taken by the noble Lord the Member for King's Lynn (Lord Stanley), he was bound to say that to his mind the practical speeches of the hon. Members for Bedford (Mr. J. Howard) and Sheffield (Mr. Mundella) were quite refreshing. They had taken a rational and sensible view of the question. He thought it would be unwise to hastily adopt the Resolution, and that it would be wiser on the part of the Government and the House to see if the Patent Laws could not be practically and beneficially amended, after the example of the United States. The opinions of the philosophers and the practical men were at variance upon the question; but the hon. Member for Sheffield had shown the great value of the Patent Laws in stimulating invention in working men, and putting them in a state of comparative wealth. A letter had been addressed to him (Lord Elcho) by the honorary secretary of the Working Men's International Exhibition to be held next year, of which the First Minister of the Crown was president and the Lord Lieutenant of Ireland vice president, requesting his attention to a Notice of Motion on the Patent Laws for the 1st of June, and desiring him to use his influence to resist any efforts which might be made in the interests of capital to abolish those rights of inventors which, notwithstanding all the defects of the process by which they were secured, were felt to be the only practicable and available means of rewarding inventors. The reason of the letter being addressed to him was simply this—Some two or three months ago he was waited upon by a deputation of working men connected with the International Exhibition of 1870, who asked him to take charge, this Session, of a Bill to protect their inventions at the coming Exhibitions. He promised to do so; and a Bill was in preparation which would be framed on the precedent of the Exhibition of 1851, supported as it was by a similar measure in 1862. He confessed that he deemed it desirable, in the interest of inventors, that the Government, instead of hastily adopting the measure of the hon. Gentleman, would favourably consider the letter to which he had alluded. He felt great difficulty in the distinction which had been attempted to be drawn between a book and an invention.

MR. SAMUDA said, there was one point of view of the subject before the House which had hardly been touched on in the course of the debate. He had not heard it stated whether the patentees themselves were really gainers or not by the Patent Laws; and this alone should cause the House to hesitate till they had ascertained the effect of those laws on the prosperity and prospects of inventors. He had often heard it argued that patentees were by no means as a whole gainers by their inventions, owing to the cost and trouble they were at to secure protection and develop their plans. This should not be lost sight of in considering the question, because, if the patentees were found to be losers and the public not gainers by the present system, the House would itself be carried very far towards the conclusion expressed by the Motion of the hon. Member for Leith (Mr. Macfie). Another point appeared to him to be of very great importance; and that was this—Supposing it should turn out, as he believed it would, that the inventors had not been prosperous under the Patent Laws, and that the country had been damaged by patents, it became a very serious question whether this failure ought not to be attributed, in a great measure, to circumstances surrounding the administration of the Patent Laws, which he fancied were at the root of the mischief, and the removal of which might change the complexion of the whole question. For instance, it was well known that many patents were taken out, not so much with a view to profit or even with a view to working, but simply in order to obstruct the action of a *bonâ fide* inventor and prevent him getting the benefit of his invention. When any subject was fixing public attention — such as the introduction of the screw propeller, improvement in rifles and the like—the regular patent-monger was always to be found applying for patents on these subjects, and wording his title so as to cover all or most of the improvements that were likely to be worked out between the date of his patent and the time allowed to specify; and if he could succeed in ascertaining particulars of any improvements whatever matured by others in this interval, he was in the position to insert them in his specification, which the wording of his title enabled him to do, and the priority of his date gave him the advantage of doing. No greater nuisance was known to manufacturers than these "fishing patents," as they were called. The genuine inventor was met at every turn by them—harrassed—interfered with and generally compelled to buy the holders of them off to avoid serious litigation and certain loss, if by not doing so he were driven to contest the validity of the abstracted invention. In his own view the invention of a machine and the invention of a book were similar; and if no public mischief resulted from it the inventor of a useful machine had as perfect a title to be protected in the result of his brains as had the author of a book; but he would not have the road constantly stopped by these purloined and sham inventions. He asked that an accurate investigation of the whole subject might precede any action by Parliament; because even if the only result desirable were an amendment of the law, inquiry was necessary to show in what respects the law required amendment. If the extent of the obstruction caused by the patents to which he had alluded, and the extraordinary lengths to which the law was stretched by the Judges could not be remedied and were found to be sufficient to justify the abolition of the Patent Law, he would let it go. The hon. Member for Sheffield (Mr. Mundella) and those who sided with him must not, however, think that the country would suffer by inventors taking their inventions across the water to other countries, as a consequence of the abolition of the Patent Law, because in those foreign countries where the invention was taken to it would be protected, while here it would be at the service of every manufacturer in the kingdom.

The ATTORNEY GENERAL said, the House must assuredly feel indebted to his hon. Friend (Mr. Macfie) for bringing forward this subject. They had heard able speeches on both sides; but when he reminded hon. Members that this was the first debate, so far as he was aware, in which the general principle of the law had been discussed, he thought he had said enough to show that it would be somewhat premature to come to a conclusion upon this important question. In fact, he doubted whether even the hon. and learned Member for Richmond (Sir Roundell Palmer) was prepared to say we were in a position to abolish the Patent Law; and the hon. Member for Leith (Mr. Macfie) seemed not to go the length of his own Motion, because he had talked of State remuneration to meritorious inventors, instead of allowing them, as at present, a monopoly under the Patent Laws; but, with respect to this, he submitted that it was impossible for the State to value an invention at its first exhibition; the value could only be ascertained by experience. The Report of the Patent Law Commission said that no rule could be laid down for estimating the value of a patent. That part of the scheme of his hon. Friend was, therefore, he thought, altogether inadmissible. He concurred with the noble Lord, who had spoken some little time previously (Lord Stanley), that it would be extremely difficult—he thought it would be very invidious—for the State or any public functionary to make a selection of patents and say—"These are approved and these are rejected." If such an attempt were made, the certain result would be that, while many bad inventions were subsidized, many of the most valuable would receive nothing. Without discussing the somewhat subtle metaphysical distinctions which had been drawn between the principle of the Law of Copyright and the Law of Patents, he would observe in passing that it seemed to him that there was a strong analogy between the effort of mind, by which Adam

Smith discovered the laws which regulate the wealth of nations, and that by which Professor Wheatstone discovered the laws which regulate electric telegraphy. Again, was there no such thing as literary invention? Was not the construction of the plot of a play as much an invention as the construction of a machine? Was there not sometimes as sharp a competition for the appropriation and adaptation of a French plot, as for the appropriation and adaptation of a mechanical contrivance? Putting the question on the broad ground that the object of the Patent Laws was to encourage by, perhaps, a high, although very uncertain, reward, the production of inventions, he would ask—had the law had this effect? He could not help thinking that the effect had been too great—that they had been too successful in encouraging inventors, so much so that they had produced a large number of inventions running the same route, and treading on each other's heels. The nation had held before workmen a reward for their inventions, and he thought they ought seriously to consider what would be the result if they entirely took away the stimulus to invention. He thought it would be a dangerous experiment, and one that should not be attempted, without further and fuller inquiry. He admitted that there were great evils in the working of the present system, but the conclusion at which he had arrived was in opposition to that of the noble Lord (Lord Stanley), and the hon. and learned Member for Richmond. On the whole he thought the Patent Laws did more good than harm. It had been asked whether they could not be amended? He did not see why they could not. At all events, he thought an effort should be made in the way of amendment, before they listened to a proposition to abolish them. The Commissioners, amongst whom were Lord Stanley, Lord Overstone, Sir William Page Wood, Sir William Erle, Lord Cairns, Mr. Fairbairn, and other eminent men, in their Report, had made various recommendations with respect to the improvement of the Patent Laws, and in those recommendations he entirely concurred. One of the recommendations was that a careful inquiry should be made, under the direction of the Law Officers of the Crown, as to whether there had been any previous documentary publication of a similar invention, and that if there had the patent should be refused. He was far from saying that the inquiry should stop there, but still he believed that such an investigation would result in great public advantage. It had been further suggested that a patentee should be required to deposit a model, as well as a specification of his invention. Believing, as he did, that the multiplication of patents was a very serious evil, he, in conjunction with his learned Colleague, had taken upon himself, since he had been in Office, the responsibility of stopping many patents of a frivolous character, and he should be glad if their powers of rejection were increased. Serious, and he believed, well-founded complaints had been made with respect to the enormous expenses attendant upon patent litigation, and upon this point the Commissioners had suggested that patent cases should be tried, not before a jury, but before a Judge to be appointed for that especial purpose, assisted by one or two scientific men as assessors. The whole subject was one which deserved the best consideration of the Government, and of the House; and he saw no reason why some hon. Member who was interested in the subject should not, in the course of the present or of the next Session, move for a Committee of that House to inquire into it, and to ascertain how the Patent Laws might be amended. In conclusion, he would remark that the working classes, who had been truly described as having the deepest interest in this subject, were opposed to the abolition of the Patent Laws. He had received a deputation the other day which he believed represented the working classes in the different parts of the country, and that deputation was unanimous in deprecating the Motion which was now before the House. Although they admitted that the Patent Laws required modification, so far from desiring those laws to be abolished, they appeared to think that facilities for obtaining patents should be increased. He trusted that, under all the circumstances, the House would be of opinion that the Motion of his hon. Friend was premature, and that his hon. Friend would withdraw it.

Mr. DENMAN said, that while agreeing with the Attorney General that the Motion was premature, he confessed he was a little disappointed in not hearing what were the intentions of the Government in respect of the question. It was clear that the Patent Laws required very considerable alteration and amendment, and he wished the Government had at least promised that they should be considered by a Committee of the House with a view to legislation. The subject had been inquired into by the Commission only, and that Commission had not entered into the whole question. Still they came deliberately to the conclusion that they could only report on the basis of a Patent Law substantially the same as that now existing, and they only reported in favour of certain alterations. But the principal witnesses examined by the Commissioners consisted of patent agents, officials, persons thoroughly acquainted with the administration of the law, and great patentees, almost, if not altogether, excluding the element which had played a considerable part in this night's discussion—he meant the interests of the working men, the inventors. All lawyers who had anything to do with patent trials knew that very often the gentlemen who obtained the benefit of the Patent Law was the mere capitalist. His hon. and learned Friend the Member for Richmond (Sir Roundell Palmer) cited one or two cases of which he (Mr. Denman) had some knowledge, from being concerned as counsel in the cases. The hon. Member for Bedford (Mr. J. Howard) took a different view of these cases, and quoted some of them as if they negatived the argument of the hon. and learned Member for Richmond. He quoted especially one, the corn-grinding case, which cost some £100,000; and seemed to think that the hon. and learned Member for Richmond had made a mistake in citing that case, for he said that Mr. Bovill had made a discovery which would not possibly have been made for centuries but for the Patent Laws. Mr. Bovill, in fact, had the wit to see the value of the invention, but he admitted twenty years ago that the idea was not his own; but that he adopted it, after having seen its operation abroad. He thought that the House ought to receive from the Government a more explicit declaration of what in their opinion ought to be done, and of the manner and time when it should be carried out.

Amendment, by leave, *withdrawn*.

Mr. Denman

POST OFFICE—LANDING MAILS AT A WESTERN PORT.—OBSERVATIONS.

MR. R. N. FOWLER said, he rose to call attention to the advantages to the public service of embarking and landing the Mails at a Western Port. It must be admitted on all hands that *cæteris paribus*, mails were carried more quickly and more certainly by land than by sea. This was the case in the days of the mail coaches and the sailing vessels, and it continued to be so in these days of railway trains and steamboats. It seemed obvious, therefore, that on general grounds, the most westerly English port should be selected for the arrival and dispatch of the mails. From 1688 to 1834 those mails for distant places across the sea which were now embarked and landed at Southampton had been embarked and landed at Falmouth. When the change was made, in 1834, steam had been adopted for mail boats, but the railway system had not been generally adopted in this country; and as steam vessels had the advantage over coaches, Southampton at that time had an advantage over Falmouth which it did not at present possess. Falmouth was now in a position to receive the full advantages of her superior natural position. The feeling in her favour was widely spread among merchants and nautical men. In 1865 there was presented a memorial from a large number of merchants of London to Lord Stanley of Alderley, who was at that time Postmaster General. That memorial was signed by sixty leading houses, including the firms of Frühling and Goschen, and of T. Daniel and Company; the former being the firm of which the present President of the Poor Law Board (Mr. Goschen) was the head, and the latter that of which the right hon. Gentleman the Member for Shoreham the late Vice President of the Board of Trade (Mr. S. Cave) was then the principal. The memorialists urged that in order to substitute a fixed day of the week and to obtain greater dispatch these mails should be made up on the evening of the first and third Thursdays of every month; that they should be embarked at Falmouth; that the homeward mails should be landed as that port; and that the letters should be sorted on board the packets during the voyage. It was confidently estimated that by the adoption of this route at least one day would be gained by London in the course of post, while to Bristol, Birmingham, Manchester, Leeds, Liverpool, Glasgow, and the other northern towns, with the whole of Ireland, the saving of time would be still greater. In regard to persons living in the North, the inconveniences they endured from the mails being landed at Southampton, and having to pass through London were extremely serious. The Liverpool Chamber of Commerce, the Glasgow Chamber of Commerce and Manufactures, the Manchester Chamber of Commerce, the West India Association of Glasgow, the provost, magistrates, and town council of Aberdeen, the provost and corporation of Greenock, and of Paisley, and several Chambers of Commerce of leading towns in England, besides those which he had named had all presented memorials in favour of Falmouth. The memorial of the Manchester Chamber of Commerce stated that the port of Falmouth was admirably adapted for a packet station, and so lately as 1850 it was partially used for that purpose. There could now be no objection to Falmouth, because the docks were completed, and the port was connected with the railway. Among the nautical opinions favourable to Falmouth were those of Captains Walker and Bedford, who were connected with the Marine Department of the Board of Trade. Captain Bedford pointed out the superior weather position of Falmouth, which became of the utmost importance in case of stormy weather. Admiral Beaufort, the Hydrographer to the Admiralty, had expressed his unequivocal opinion that Falmouth from its south-western position had great advantages over other ports; that the mails should be carried on the land as far as possible; and that the railroad when constructed to Falmouth, would confirm it still more as the best port in England for a packet station. Admiral J. B. Sullivan, C. B., who was for years at the head of the Marine Department of the Board of Trade, in a letter addressed to *The Times*, dated Nov. 22, 1865, stated, that—

> "If Falmouth were made the mail port, some hours each way would be saved in the case of the London mails; for the northern districts the saving would be much more, while the additional risks and delays caused by fogs being more prevalent to the eastward, in the neighbourhood of the Isle of Wight and Southampton especially, made it still more desirable to land the mails at a western port."

Captains Symonds and Evans, of the Royal Navy, and Sir Alexander Gordon had expressed an equally emphatic opinion in favour of Falmouth. Now, he had no doubt that the hon. Member for Plymouth would be prepared to advocate the claims of that port with his accustomed ability, but the facts were against him. In the recent case of the *Tasmanian*, in regard to which he had put a question to the noble Marquess opposite, it was admitted by him that her mails had to be sent on by special train from Plymouth, though they might have been landed at Falmouth in time for the ordinary train through Bristol; and he had been informed that on the 13th of this month the *Seine* passed Falmouth in time for the mails to have been sent by the ordinary train, whereas they had to be sent specially from Plymouth. In respect to the capabilities of Falmouth as a port of call, there was satisfactory evidence. He held in his hand a letter from Mr. Dymond, who represented the Loan Commissioners at Falmouth, stating that—

> "The vessels of the New York and Havre United States Mail Steam Ship Company carried passengers and mails between New York, Falmouth, and Havre. They commenced running in or about December, 1865, and ceased in November, 1867. The company had two vessels of their own and chartered two others, and they ceased running because the latter became unavailable, and because of the competition with a highly subsidized French line, the American vessels being unable to equal the French in speed. They called at Falmouth sixty-two times, and the average time of detention of the ship for landing mails and passengers was twenty minutes. It was a very exceptional circumstance for the steamer to drop her anchor or come to moorings, and the time occupied in transit of mails and passengers from ship to landing-place, which is close to the railway-station, varied from ten to twenty-five minutes."

On making the Lizard, a ship was fifty-four miles from Plymouth and eighteen from Falmouth, a difference of thirty-six miles, which the ship in very fair weather could run in three hours, the time the mail train took by land from Falmouth to Plymouth. But it must be remembered that these calculations were based on the presumption of fair weather in the Channel; the time taken by the vessel in making the distance in bad weather might be six hours instead of three, whereas the train service was always punctual. A saving of three hours in the despatch of telegrams was often of great importance to the merchant, and might sometimes be of the utmost importance to the Government. Finally as regarded railway accommodation, the chairman of the Cornwall Railway Company had written to him—

> "You may state a special mail can be run over the Cornwall line from Falmouth to Plymouth in from 2 to 2½ hours, and that at an interview had with Lord Stanley of Alderley, when he was Postmaster General, I was authorized to state on behalf of the Cornwall Railway and the associated Companies, that they were prepared to run a special mail from Falmouth to Paddington in 9 hours, and this can still be done."

Thus a clear saving of time would be made. Without further detaining the House, he begged to thank hon. Members for the attention they had given him, and he hoped that the subject would receive from the noble Marquess the Postmaster General the consideration its importance deserved.

Mr. CRUM-EWING said, he thought it a great boon to the country at large that the mails should be landed at the first port reached. Men of business in the North were seriously inconvenienced, often being hardly able, for want of time, to answer properly by the next mails their letters from the West Indies. Whether Falmouth or Plymouth was to be preferred was a question for the Post Office, but certainly either was preferable to Southampton.

Mr. SCOURFIELD said, that if it was a question of a westerly port he represented a county (Pembrokeshire) which could offer a most excellent port more westerly than any other, and that was Milford Haven, the advantages of which were so notorious that it would be almost a work of supererogation to recount them. The great capabilities of Milford Haven and the close proximity of the Glamorganshire coal fields made that port a desirable one for the mails. The selection of Milford would involve no expenditure of public money, and the communications could be maintained with perfect regularity.

Mr. MORRISON said, that as representing Plymouth, he felt bound to say a few words in reply to what had fallen from the hon. Member for Falmouth (Mr. R. N. Fowler), but he would respectfully suggest to the House that, as this was a question which involved so many matters of minute detail, it rather came within the province of the Executive Government or of some small body, such as a Committee of that House; and on behalf of Plymouth he had to express the perfect readiness of his constituents to face any such investigation. By the change in the mails from Southampton to Plymouth a great gain in point of time had been effected, especially in the case of the northern towns, and the extra expense had been very slight indeed. He was not prepared to argue at any length against the claims of Milford Haven, but he had always understood that the tide at that port ran too strongly to allow of its being a good packet station. Practically he believed the battle lay between Falmouth, Southampton, and Plymouth. Now, the advantages in point of time in landing at Plymouth were very great. The conclusion arrived at by the Post Office authorities with regard to the saving of time to the merchants of London by the landing of the mails at Plymouth instead of Southampton was that it would only amount to three hours. That, of course, was something. In regard, however, to the northern towns the gain was very much greater, because the mails might branch off from Bristol and be sent direct to their destinations, instead of being forwarded through London. This estimate, however, was based purely upon calculations from the time tables and similar sources, and took no account of contingencies which might arise from fogs and arrivals at night. It should be remembered that from the West Indies to the Channel it was all plain sailing, and that the danger lay almost solely in the Channel, and that danger was increased by every twenty miles added to the navigation of the Channel, in addition to the extra chances of detention by fogs. The approach to the port of Southampton also, by the Needles, was so dangerous that few ships cared to enter the passage at night without securing the services of a pilot, and some vessels even preferred to go round the Isle of Wight and approach the port by way of Spithead. The position of the Eddystone lighthouse seemed of itself to point out Plymouth as a great mail packet station, for when a ship had once made the Eddystone light it could make its way to Plymouth harbour by compass in the darkest night. The hon. Member for Falmouth in referring to the arrival of the *Tasmanian* last year had stated that if that vessel had put in at Falmouth the mails could have been despatched by the ordinary train, but that by proceeding to Plymouth, although the passage was a fair one, they had to be forwarded by special train. It was true that such a thing might happen in a single instance; but if the vessels put in at Falmouth it would also frequently happen that the ordinary train would have left, and the mails would have to be forwarded by special train over sixty extra miles of railway. Moreover, he was informed that, on the occasion referred to by the hon. Gentleman, the *Tasmanian* had to make her way up the Channel not in fair weather, but in a heavy gale, and that, owing to the number of merchant vessels that had sought refuge at Falmouth, it would have been impossible for the *Tasmanian* to make her way into Falmouth harbour at all. The hon. Gentleman in urging the claims of Falmouth had stated that the difference in sea passage between that port and Plymouth was thirty-six miles. The hon. Gentleman had taken his measurement from a point just six miles south of the Lizard, but in dark weather ships kept as far from the Lizard as they could. The hon. Gentleman had also taken the distance as marked in the map, as Falmouth people generally did; but as a matter of fact it was necessary for ships passing by the Lizard into Falmouth harbour to make a wide circuit in order to avoid the Manacles Rock. Casualties had occurred at Falmouth through ships dragging their anchors, but those that had occurred inside Plymouth Breakwater were traceable to bad ground tackle, for which the port was not to blame. Falmouth was a great calling place, and the harbour often crowded, which made the handling of large unwieldy steamers a dangerous operation; and, though Plymouth was often crowded, it had the inestimable advantage of two entrances, which were so easy to navigate that vessels often came in without pilots. While the landing of the mails at Falmouth occupied twenty-five minutes, it would only occupy twelve minutes at Plymouth. An objection to Falmouth was the absence of dock accommodation. There was a magnificent scheme for Falmouth docks, but as yet they were castles in the air. Plymouth, on the other hand, had splendid docks, and one of the finest graving docks in the world. Again, a glance at the map showed that, while ships coming up the Channel would make a straight course to Plymouth, Falmouth was out of the way, and what might be gained by the speed of the railway from Falmouth to Plymouth was lost by the detour that had to be made, first at sea and then by the railway, which to some extent followed the curve of the bay. Although the chairman of the railway company said the distance could be run in two hours and a-quarter, the express trains took three hours. This matter had not been decided in a hurry. It first came under the consideration of Lord Stanley of Alderley, and the late Government displayed great care and assiduity in determining it; and no good reason had been adduced for interfering with an experiment which had been tried for two years with the most perfect success.

MR. BROGDEN said, he knew many West India merchants felt strongly that the time had come for the selection of a western port for the arrival and departure of the mails; and, although he might be benefited indirectly by the choice of Milford, he could admit its superior claims. But he thought Falmouth possessed some advantages which other ports did not. The expense of removal from Southampton would soon be recouped in the saving of dues and coaling.

MR. RUSSELL GURNEY said, that the further this discussion went the more the House must be convinced that this was not the proper arena for its discussion; it was utterly impossible for a House constituted as that to arrive at any satisfactory conclusion from the conflicting accounts they had received from Members for the different localities interested in the matter. From the Notice on the Paper he had come prepared for a triangular duel, but he had not expected to see a quadrangular duel, as it had now turned out to be. At the same time, if they were to judge by the facility of obtaining coals, he must say that Milford Haven had a good claim as compared with Falmouth. He did not mean to enter into the discussion at any length; but, after the observations which had been addressed to the House as to the merits of different ports, he should scarcely be doing justice to his constituents if he did not say a word in favour of Southampton, especially when he had heard an hon. Gentleman opposite remark that he trusted the House would not listen to anything in favour of Southampton, as it must proceed from selfishness and no other motive. He could not help expressing his surprise in hearing this matter discussed that no reference should have been made to a most important Post Office Return which had been laid upon the table, and which threw a good deal of light on this question. The hon. Member who had referred to the great benefits derived by Glasgow from the change to Plymouth (Mr. Crum-Ewing) could scarcely have looked at the document to which he (Mr. Russell Gurney) alluded, for if he had he would have seen that of thirty-three voyages made under the new system, in twenty-four there had been in Glasgow neither gain nor loss; and of the remaining nine voyages in four cases there was a gain by landing at Plymouth, and in five cases there was a loss. The gain that had recently been derived by Scotland and the northern towns had not resulted from the landing of the mails at Plymouth, but from the change that had been introduced by the sorting of the letters on board, and then despatching them by the cross mails, instead of sending them up to London. If the same plan had been adopted and the letters had been sent through Basingstoke instead of going up to London the northern towns would have gained more by having the mails landed at Southampton than at Plymouth. The northern towns were very important, but London was of even more importance, as, in fact, three-fourths of the correspondence came to London. With respect to London there was an earlier delivery by landing at Plymouth in one case only out of the whole thirty-three, in nineteen cases there was no gain and no loss, and in no less than thirteen the mails would have been delivered sooner if Southampton had remained the port of landing. It was more important to look to the results of actual experience during the last two years than to the predictions of hon. Gentlemen as to what would be the case in future. The House had been told of the dangers of coming up the Channel, and the delays likely to occur in consequence of fogs. But captains of ships from the West Indies with whom he had been in communication had implored him to use whatever influence he had to keep them from entering the port of Falmouth, or standing off that port, in consequence of the fogs which prevailed there; and the hon. Member for Plymouth (Mr. Morrison) had admitted that in no case had there been a delay in consequence of fogs when Southampton was the port. In his opinion the best thing that could be done, and that from which the most satisfactory results could be obtained, would be to have an official inquiry.

The Marquess of HARTINGTON said, it would perhaps be expected of him that he should address a few words to the House on this subject, though he was sure the speeches which they had heard would convince the House, if of nothing else, at any rate of this, that the House of Commons was not the place in which a question like this, full of technical details, could be advantageously discussed. Although the Notice of the hon. Member for Falmouth (Mr. R. N. Fowler) referred to the questions both of embarking and landing the mails at a western port, the speeches which had been delivered by hon. Gentlemen dealt almost exclusively with the place for landing them. When the question was last under the consideration of the Treasury and the Post Office, it was ascertained to the satisfaction of those Departments that there would be decidedly no advantage in embarking the mails at a more western port than Southampton; and, therefore, he might confine his observations to the subject of landing the mails. As to the question between Plymouth and Southampton, he was quite aware that the arrangement now in force was made as an experiment. He was not sure whether any definite period had been fixed upon for the duration of the experiment; but when it had been tried for a sufficient time to test its general working, it would be the duty of the Department over which he presided to come to a final decision on the subject. If the present systems were not found satisfactory, the mails would return to Southampton. The Notice of the hon. Member for Falmouth, as he understood it, referred chiefly to the question between Plymouth and Falmouth, and the advantages of those two ports had been ably urged in that House by their respective advocates. This was not the first occasion by many on which that question had been considered, and considered very carefully.

It had been so considered by Lord Stanley of Alderley, and also by the Duke of Montrose; and after what was, as far as he could judge, a perfectly impartial investigation of the merits of these two ports, in 1867 the decision come to was that Plymouth should be the port selected for making the experiment. He was not aware that there had since been any change in the circumstances, and for himself he did not see any good reason for now altering what was then settled, and adopting Falmouth. The Post Office had ascertained, by consultation with the Royal Mail Company, which must be admitted to be competent to give information on the matter, that they were not prepared to allow more than three hours' steaming as the difference between Plymouth and Falmouth. And it was also ascertained that the railway journey between those two places would occupy only two hours and a-quarter. In addition to that, there was this very great objection—that there existed only a single line of rails between Falmouth and Plymouth, which it was thought would offer a serious impediment to the running of special trains. In conclusion, he could not hold out any assurance on the part of the Government that the present arrangement would be altered.

Mr. EASTWICK said, he rose to support the views of his hon. Colleague (Mr. R. N. Fowler). He could not at all agree with the noble Lord the Postmaster General, or with the right hon. and learned Member who preceded him (Mr. Russell Gurney), that that House was not a proper place for the discussion of the question. He could not see why a Committee of that House was unfit to consider the subject. Questions affecting postal conventions were referred to such a tribunal, as were also the most intricate questions of railway engineering, and why should not a question like the present one be so referred? He thought the whole gist of the question lay in a sentence which occurred in a Report that had been referred to by his hon. Colleague—he meant the Report of the Commission presided over by Sir James Gordon, in 1840. It was there said—"If we had found a railroad as far as the Land's End and a harbour there we should have selected it." Now, what did that mean? It meant that communication by rail was so superior in point of certainty and celerity over communication by sea, that the former ought to be adopted wherever it possibly could be. The Commission could not find a harbour at the Land's End, but they found one near the Lizard, which, for all practical purposes, was to the mariner the real land's end of England. He himself had made the homeward voyage from South America and the West Indies, and, having constantly examined the charts, he knew that vessels coming from those parts made a wide circuit to the west. The Lizard, therefore, was the point which all vessels coming from the south or from the west endeavoured to make; and the Lizard was within seventeen miles of Falmouth, the advantages of which, as a port, were undeniable. How great those advantages were was shown by the fact that, though the railway from Southampton to London was opened in May, 1840, it was not till ten years after—not till 1850—that Falmouth was entirely disestablished as a mail packet station. He felt certain that if there had been a railway through Cornwall to Falmouth, at the time when the Commissioners made their Report, that port would have been chosen for the dispatch and arrival of the mails in question. A railway now existed in Cornwall, and though the line was now single it might soon become a double one. Moreover, there were now admirable docks, with a railway carried down to the very water's edge; and, therefore, the time had come when Falmouth should be restored to the position to which its natural advantages entitled it as the great south-western port of England. By such an arrangement, a great acceleration of the delivery of letters would be obtained, not only in London, but also in Bristol, Liverpool, Glasgow, and other great commercial cities. The distance by sea from Falmouth to Southampton was 180 miles, or eighteen hours, and to this must be added two and a-half hours of rail, making a total of twenty and a-half hours. Thus, even allowing ten hours for an express train from Falmouth to London, there would be a gain of ten and a-half hours on this route over that by Southampton. But from Falmouth to Bristol by Exeter was only six and a-half hours, and from Falmouth to Liverpool and Glasgow, by the same route, only eleven and three-quarter and seventeen and a-quarter hours; and, supposing the letters to be sorted in the steamer or the train, there was no reason why they should not reach Glasgow three hours before they now reached London. So much for the Southampton route; and he had to thank the hon. Member for Plymouth for the arguments he had used against it. But some of those arguments were applicable in favour of the Falmouth route against that by Plymouth. He would not dispute with the hon. Member whether the distance from Falmouth to Plymouth by sea was thirty or thirty-five miles, but supposing it to be only twenty, still, there were the same dangers of fog and storm over those twenty miles, as over the longer distance. As to the journey by rail from Falmouth to Plymouth occupying three hours, the distance between the two places was only sixty miles, which might surely be travelled by express train in two hours. Thus, valuable time would be saved by the Falmouth route; and as most of the important communications of the great mercantile houses were sent by telegraph, still further advantage would thus be gained by the adoption of that route. Again, Plymouth was a most unsatisfactory port for the landing of the mails; and the Lords of the Admiralty, in their official reply to the Post Office, of the 13th of April, 1867, stated, that it would take two hours to land the mails there. Those two hours had to be added to the three hours lost by sea in going to Plymouth instead of to Falmouth. He would cite another testimony against the port of Plymouth, and that was the memorial of the Union Steam Shipping Company, of March, 1866, which says—

> "With regard to the harbour of Plymouth, it is scarcely necessary to state that, in rough weather, we have had great difficulty and delay in landing and shipping the mails; and that instances have occurred when it has been impossible for the ship to communicate with the shore."

Before concluding, he must add a few words as to the great natural advantages of Falmouth as a port. It was most accessible; there was no necessity of employing a pilot in entering it, as was proved by the numerous memorials which had been presented against compulsory pilotage with regard to it; and it was a mistake to suppose that it was necessary to take a wide circuit in making for it. Long experience proved that the Manacles—which had been referred to as a source of danger to vessels approaching Falmouth—in no way interfered with safe access to its excellent harbour. In the 140 years during which the mail packets sailed from Falmouth there had never been an instance of such a vessel having been wrecked upon the Manacles. He thought the whole matter ought to be referred to a Select Committee; and he regretted that his hon. Colleague had not concluded with a Resolution to that effect. Should the subject not meet with proper attention from the Government, he should himself move for a Select Committee to inquire into the question.

Mr. J. D. LEWIS said, he must dissent from the statement that there had not been a wreck on the Manacles for 140 years while Falmouth had the mails.

Mr. STONE said, that his hon. Friend the Member for Plymouth (Mr. Morrison) was perfectly correct in his statement that the landing of the mails at Plymouth occupied, on the average, only twelve minutes.

RAILWAYS—THE ABERGELE ACCIDENT.

QUESTIONS. OBSERVATIONS.

Sir HENRY SELWIN-IBBETSON said, he rose to call the attention of the President of the Board of Trade to the Report of Colonel Rich on the Abergele accident of last August, and to ask some Questions with regard to it. The subject was well worthy the attention not only of directors of railways, but of the public at large. On the present occasion he would not refer to the particular question which he had brought forward on a former evening respecting the possibility of preventing certain kinds of railway accidents by proper legislation; neither would he attempt to do away with that happy security in which the President of the Board of Trade indulged with regard not only to the conduct of directors of companies in general, but also as to the safety in travelling which the right hon. Gentleman himself enjoyed on their lines. All he would say on that point was that he hoped that from that dream of happy security the right hon. Gentleman might never be rudely aroused. For his own part, he had been less fortunate than the right hon. Gentleman, as he had been present at various accidents, including the fearful one to which he was about to refer; and he might remark that those who, perhaps, proved the exceptions to the rule laid down by the right hon. Gentleman regarded railway accidents with a certain feeling of dread. The Report made by Colonel Rich, the Government Inspector on the Abergele accident, contained several statements which gravely affected the directors not only of that particular line, but of all the railways throughout the country. One of these statements amounted to a charge of gross fraud perpetrated on the public. After going through the evidence, Colonel Rich said that blame attached to three servants of the company, but he went further than that and remarked—

> "So far the three men are seriously to blame, and their neglect has been the immediate cause of the accident; but men of that class cannot be expected to do their duties well if the railway companies do not give them the most convenient and best appliances, and do not look after them strictly and enforce their own regulations."

Colonel Rich went on to say that the company had not complied with the rules respecting the inspection by the Government of their line before it was used, that the very siding at the Llandulas station had been constructed subsequently to the railway being inspected, and that if it had been so inspected it would not have been pronounced fit for use. After stating that certain rules were made by the company for the guidance of their servants, Colonel Rich inserted in his Report the following paragraph:—

> "Lastly, I fear that it is only too true that the rules printed and issued by railway companies to their servants, and which are generally very good, are made principally with the object of being produced when accidents happen from the breach of them, and that the companies systematically allow many of them to be broken daily, without taking the slightest notice of the disobedience."

If that were true it was a gross fraud on the public who travelled on the lines, and who believed that the company's rules would be enforced. He did not wish to conceal the fact that Colonel Rich said the management of this particular line was in general very good, but he added—

> "I desire to take advantage of the attention which this deplorable event will attract to bring before railway companies what I conceive to be the great defect in their systems, and which has led to most of the accidents I have inquired into —namely, a want of discipline and the enforcing of obedience to their own rules."

His present object was simply to ask the right hon. Gentleman whether his attention had been directed to this very remarkable Report, whether he had called upon the company for an explanation of the extraordinary statements therein made; and, if not, whether it was his intention to do so?

MR. DILLWYN said, that as a director of another large railway company, the Great Western, he could not allow the sweeping censures passed by Colonel Rich upon railway companies in general to remain uncontradicted. They were most serious censures, and ought to be met by all the railway companies at once. It would, indeed, be a gross fraud upon the public if it were true that the companies made rules in order to deceive the public, and for the purpose of being produced when an accident occurred. On behalf of the company to which he belonged, and in whose affairs he took an active part, he repudiated Colonel Rich's statement in the most unqualified terms.

AGRICULTURAL STATISTICS.

QUESTION.

MR. READ, on rising to put a Question to the President of the Board of Trade on the subject of agricultural statistics, said, that some time ago his hon. Friend the Member for South Leicestershire placed on the Paper a Motion to the effect that statistics should be collected every fifth year instead of annually. That Motion came on for discussion at a very late hour one evening, but the debate was adjourned, and the Order unfortunately becoming a lapsed one, no day was open for it before the 30th of June. His hon. Friend, in the course of his statement, objected to agricultural statistics on the ground of their expense, which amounted, he said, to a cost to the country of £20,000 per annum. The acreage, as given, his hon. Friend admitted to be fairly accurate; but he was opposed to the constant worry to which the farmers were subjected, and expressed it to be his belief that if they were allowed a few years' rest they would be more willing to give information, and that the Returns would be furnished much more correctly. He, however, felt quite sure that the mere fact of the large increase in the acreage of wheat last year would be cited as a proof that annual agricultural returns were necessary. We had, he believed, within two years experienced the greatest variation which we could have in the acreage of wheat. In 1867 there was a very low, and in 1868 a very large, acreage, but our experience of those years only served to show that the greatest extent of difference in acreage we were likely to have was 8 per cent, and an increase of acreage of 1 per cent would only give two days' consumption. What was the difference caused by the yield ? One bushel per acre made a difference of 500,000 quarters; and taking the difference in the yield between a really good harvest and a really bad one at fourteen bushels per acre, or 7,000,000 quarters of wheat, it would amount to about our average importation, or 124 days' consumption. That difference might be produced in the yield, whereas the greatest difference which would be produced by the difference of acreage was 20 days' consumption. It was not so difficult, he might add, to guess the acreage as the yield, and the wonderful accuracy of the estimate given by Mr. Caird in *The Times* of 1850, showed how easy it was to ascertain the acreage. There were several important matters connected with the question, which ought, in his opinion, to be agreed upon before agricultural Returns could be expected to be of any great value. The average yield of this kingdom was estimated as low as twenty-six bushels per acre, but it had been put by an equally good authority as high as thirty-two bushels. Then the consumption of wheat had been put as low as five and a-half bushels and as high as eight bushels per head. It was contended by some that in dear years there was a great economy in the consumption of bread by the poor; but he, on the contrary, maintained that in every dear year there was a larger consumption of bread by the poor, and for the following reason:—Let him suppose that a man earned only 15*s.* a week, the average wages of a working man. If that man spent 10*s.* on bread when wheat was very dear, he would naturally have but little left to spend on beef or other articles of consumption; whereas, if bread was very cheap, and he only spent 6*s.* on it, he would have a much larger sum remaining to spend on meat, and the more meat he ate, the less bread he would require. He had been informed on Saturday last, by a baker in Norwich, that flour was, this time last year, £1 a sack dearer than it was at present, and yet though there was, he believed, a slight increase in the prosperity of Norwich, the consumption of bread was now considerably less. When statisticians estimated the consumption of bread by the poor, they entirely left out of consideration the fact that, when wheat was very cheap, there was an immense consumption of it by the farmer for his cattle, and also for malt, while there were other circumstances which must enter into the calculation which were beyond control. Hon. Members had heard the evening before of there being five quarters in one year, but the farmers begun and finished, last year, two harvests in fifty-one weeks; and there were such things as good and bad harvests, as well as large and indifferent crops, for the best corn might be destroyed by a wet harvest. The farmers had, in his opinion, great cause to complain of certain statistics which were collected by the Government. He referred to the corn Returns, which were taken in 150 of the chief market towns in the kingdom. He made inquiry of the Board of Trade as to what corn was returned in the averages furnished, and he was informed, in reply, that it was the opinion of the Board that none but English corn came into the Returns. On the next Saturday, however, he went to the Norwich market and there made inquiries of the three principal dealers in corn as to their practice in making their Returns. The first told him that he returned everything he bought, including the foreign trade; the second that he never returned his foreign trade; and the third said that he believed he was liable to a penalty for not returning the grain which he bought from the merchant, but that he made it a rule never to make any return of that which he had not obtained direct from the grower. That man, though he may have laid himself open to a penalty, was, he felt sure, right in equity, and he would ask the President of the Board of Trade to have the Returns made out only of that corn which was directly bought from the grower. Of all figures, those which dealt with agricultural statistics were, he believed, the most contradictory, if they were used without due consideration. From our live stock Returns Mr.

Caird made out that we derived from foreign sources one-fifth of the meat supply of this kingdom. His hon. Friend the Member for Bedford, in the excellent speech which he had made about a month ago, had placed the figures at one-twentieth, and he could not help thinking that he was right, and that Mr. Caird was wrong. The imperfect statistics which we had were, he might add, used to the disadvantage of the farmer. In 1866, the statistics were taken in the month of March, and in 1867 in the month of July. The consequence was that an immense increase in the number of sheep was made to appear, because one Return was made before the lambs were born, and the other after. The gentlemen in Bradford, thereupon, acting upon the assumption that there were so many more sheep and pounds of wool, tried to pull down the price of wool, and for two or three months they succeeded. It was said that we must be worse off for meat than they were in France, because in that country, with 37,000,000 people, they had 14,000,000 cattle, while in the United Kingdom we had 30,000,000 of population and only 9,000,000 of cattle. But it must be remembered that the cattle in France were chiefly milking cows and old working oxen, and were not to be compared in quality with our own. Then it was said in France 17,000,000 acres of wheat were cultivated annually, and in England only 4,000,000. But people who dwelt on this fact sometimes forgot that we grew twenty-eight bushels of wheat an acre, while in France they only grew fourteen. He denied that these statistics were a guide to the farmers in their business. Farmers could not and ought not to be speculators. The small farmers must sell in order to realize their rent; and if the large farmers had sold their corn directly after harvest last year, taking advantage of the high price, the result would have been to bring down the price, and instead of attending to their autumnal tillage and providing green crops which had saved their herds from starvation, they would have employed horses and men in delivering and thrashing corn. Well, then, these statistics were no guide to merchants, the majority of whom were not even aware of their existence. The merchants thought much more of the flying correspondence of *The Times*, of Mr. Caird's estimates, and Mr. Lawes' experiments, and such reports as appeared in the *Gardeners' Chronicle* or the *Mark Lane Express.* They looked at the number of vessels afloat with corn cargoes; and when it was known that contracts for foreign corn were made three, four, or even six months in advance, it would be seen that the acreage of England had nothing to do with these speculations in corn. It was curious, but true, that it was of more importance to us to know the yield of corn in France than the yield at home. In the corn-growing districts of the two countries there was practically the same climate, and both were buyers in years of short crops. But there was this remarkable fact—that here one bushel per acre made a difference of 500,000 quarters, while in France it made a difference of 2,000,000 quarters; and that sometimes France sent us as little as 30,000 quarters of corn a year, and she had repeatedly sent over 2,000,000. The statistics of Ireland, which were collected annually, showed a gradual decline of cereals in that country. A similar decrease had occurred in Scotland, and was made equally clear by statistics which were returned at long intervals. According to statistics furnished by the Highland Agricultural Society, 243,000 acres of wheat were under cultivation in Scotland in 1857, while the Board of Trade Returns showed only 110,000 acres in 1867. Thus there was a wonderful decrease of no less than 133,000 acres during these ten years, and it now appeared that Norfolk grew 85,000 acres more of wheat than they did in the whole of Scotland. He had always advocated agricultural statistics if the country demanded them, but he did wish that they should be accurate, and should also be collected with as little trouble as possible. In a paper read by him last year before the statistical department of the British Association, he said—

> "I question the use of these Returns beyond strictly statistical purposes. The yearly variation in the acreage of crops will not cause anything like the difference in the amount of wheat grown as a week's rain or a summer night's frost, and I do not believe that estimates of the yield of the growing crops, even if given by farmers, can ever be thoroughly relied on. My own impression is, after the accuracy of the present Returns has been tested for a short series of years, agricultural statistics need only be collected at given intervals, to be, in fact, a regular stock and crop census."

He would now ask whether it was the intention of the Government, after the present year, to continue the annual collection of Agricultural Statistics?

Mr. BRIGHT: Sir, the speech of the hon. Gentleman (Mr. Read) has given us some interesting facts; but I do not know exactly to what they lead with regard to the Question he has put to me. I should judge that his argument was rather against agricultural statistics at all, because his object seemed to be to show that they are not of much use to his friends connected with the land, and do not enable the farmers to decide when they shall buy, sell, or speculate. I agree with the hon. Gentleman that the statistics collected by the Government are, and must necessarily be, a very bad guide for the weekly or monthly transactions of persons engaged in trade. That is true of statistics with respect to cotton, as well as of statistics respecting corn or cattle. I know that the statistics the cotton trade get from the brokers in Liverpool from week to week are more to be relied upon than anything that can be furnished to them by the Government. I say, that after a long experience, I believe that the efforts now made to help the transactions of persons in the cotton trade by statistics are efforts of no value. Probably, however, if we take a wider view and look to the desirableness of having information from year to year of the progress of manufactures and agriculture, then it may be important to have those statistics, and there is certainly no intention on the part of the Government to discontinue the collection of agricultural statistics after the present year. The hon. Gentleman was not, perhaps, in the House when Mr. Caird brought forward this question some years ago. The Government of the day was not favourable to his Motion, and, as I recollect, the Motion for agricultural statistics was carried contrary to the opposition of the Government. I believe that the hon. Gentleman himself is not more intelligent on the question of agriculture, or was more the friend of agriculturists, than Mr. Caird. The proposal for the collection of these statistics was, therefore, introduced to the House on very high authority; it was supported by a majority of Members sitting on both sides of the House; it was enforced upon the Board of Trade of that time, and the Board of Trade since then had endeavoured, through many difficulties, to obtain the information required. I am surprised at one phrase that has been used by the hon. Gentleman. He said this incessant annual application to the farmers was a subject of irritation and even of torment. That was a very strong phrase for such a matter. It has not been found a subject of irritation to farmers in Scotland. They are, perhaps, as intelligent as those in England, and many of them farm as extensively. In Ireland the statistics have been collected for many years with much greater minuteness than either in England or Scotland, and we have had no complaint from the farmers of Ireland respecting any difficulty in the matter. I am of opinion that as the farmers of England become a little more accustomed to giving the facts required they will give them with less unwillingness, and that from year to year the collection will be more accurate, and, as far as those statistics can be useful at all, they will be more useful. It is true that the effect of the seasons of rain at a proper time, or sunshine at a proper time, is much greater than the effect produced by the difference of acreage. But that fact was known at the time when Mr. Caird proposed to collect the statistics and when the Board of Trade undertook the collection of them. It does not follow, however, that the question of acreage is not important because it is not so important as the question of the seasons. There is a universal belief, not only in this country, but in almost every country in the world, that it is of great advantage that all the facts connected with the industry and production of the country should, as far as possible, be known; and it would be foolish for us to shut ourselves out from a source of information which, though probably of no great advantage in guiding the market transactions of farmers, must be of great importance to thoughtful men who look from year to year at the progress of the country. The question, therefore, of discontinuing these Returns has not been mooted by the Government, and I hope, with the assistance of the hon. Gentleman's friends, that they will become more accurate and more valuable from year to year. The hon. Member for West Essex (Sir Henry Selwin-Ibbetson) has asked a Question about the Report of the gentleman sent down to investigate the cause of the Abergele accident, and it would be well if the hon. Member had previously stated what he would ask me about. The main portion of his observations seemed to bear upon a paragraph in the Report, which I do very much regret should have appeared in that Report at all, because, in common with the hon. Member for Swansea (Mr. Dillwyn) I think it is a paragraph that is not just to the railway to which it refers, and not just to any body of directors managing any railway in the kingdom. The paragraph is this—

> "Lastly, I fear that it is only too true that the rules printed and issued by railway companies to their servants, and which are generally very good, are made principally with the object of being produced when accidents happen from the breach of them, and that the companies systematically allow many of them to be broken daily, without taking the slightest notice of the disobedience."

Now, it is impossible for any person to travel in the kingdom without observing the sobriety, steadiness, the intelligence and activity of the servants of the railway companies. Therefore, to impute that there is a system of intentional neglect on their part is a charge against them and the railway companies which, I think, ought not to have been made, and which, probably, was made by the gentleman who drew up the Report under feelings of great excitement produced by the terrific accident he was sent to investigate. I will tell the hon. Gentleman the Member for West Essex what the Board of Trade has done. The Report contains a paragraph to the effect that if the block telegraph system had been in use and strictly carried out the accident could not have occurred. According to the block system the line is divided into portions, and a train is not allowed to enter any portion until by the telegraph it is known that the preceding train has passed out of it. That regulation was found exceedingly useful, and the Board of Trade, thinking it was one which ought to be universally adopted, has, in consequence of the accident, sent to all the railway companies in the kingdom a circular with a statement of several accidents which clearly might have been prevented if the block system had been established on the lines where they occurred. The circular was intended, not to menace railway directors with any intention on the part of the Government to propose legislation, but for the purpose of bringing the subject under their consideration, in the belief that they were anxious that their lines should be worked safely. When the answers to the circular come in, I hope the result will be to put a stop to some of the risks to which passengers are now subject. I think it is wise not to entertain exaggerated views in consequence of the accident referred to, and I also think that people are not just to railway directors and servants, who I feel every day I travel are entitled to more credit than they receive for their care and attention.

Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

METROPOLITAN POOR ACT (1867) AMENDMENT BILL—[Bill 53.]

(*Mr. Goschen, Mr. Arthur Peel, Mr. Ayrton.*)

SECOND READING.

Order for Second Reading read.

Mr. GOSCHEN, in moving that the Bill be now read a second time, said, it might appear that he ought to apologize for troubling the House at this period of the Session with a Bill relating to metropolitan pauperism, but he thought the House would not consider metropolitan pauperism to be a matter of mere local interest, for its dimensions were so great and its character such as to make it a subject which ought to occupy the most serious attention of Parliament. Every day showed that in London they had not to deal with the same kind of pauperism as was to be found elsewhere. To a great extent it was not what he might call indigenous, but was attracted from various parts of the country to the metropolis, where it remained as a burden on the rate-payers. Every investigation into the character of the inmates of the workhouses and of the out-door poor in London proved that a vast proportion of them did not properly belong to the pauper classes, but might be said to be composed of the wrecks of society. People of all stations who were broken down congregated into London, and among the inmates of the London workhouses there would be found, not only the poor out of employ, but a special class, which it was most difficult to deal with. It had already been stated in the course of the Session that the increase of paupers in the metropolis had been beyond all comparison greater than anywhere else. During the last three years there had been an increase of 45 per cent in the number of paupers in the metropolis, and an increase also of 45 per cent in the expenditure. The paupers had increased from

100,000 to 140,000 or 150,000, and the expenditure had increased in the same ratio. In 1865 the public conscience was awakened by the statements made as to the crowded state of the metropolitan workhouses; but there were now in the workhouses which were then said to be overcrowded as many as between 4,000 and 5,000 additional inmates. The ratepayers had not only to bear the expense arising from the great increase of pauperism, but had, unfortunately at the same time, been called on to re-construct the workhouses to a certain extent. The House would remember the circumstances under which the Bill brought in by the right hon. Member for Oxford University (Mr. Gathorne Hardy) was passed. For some time previously attention had been called to the defective state of the workhouses in London, and it was thought necessary that great changes should be made. In 1864 a Committee, which had sat from 1861, pointed out the necessity of separating various classes of paupers from the general body, and in 1867 the Bill of the right hon. Gentleman the Member for Oxford University met with the consent of both sides of the House, and received considerable sanction from public opinion. Two years had elapsed, and bills were beginning to run up in consequence of the re-construction of the workhouses, which was commenced at the time he had mentioned. He would frankly admit that the opinion of the public seemed to have somewhat changed now that they were called on to pay the account, but the matter must be looked fairly in the face; and they must ask themselves whether or not it was necessary that the re-construction of the workhouses should have been entered on. If it were necessary, it must be completed, and if it were not necessary, the works must be stopped. The Bill of the right hon. Gentleman proceeded on the basis of recognizing the necessity for further accommodation, while at the same time the opportunity was to be utilized for the purpose of securing a further classification of paupers. The treatment of the sick was not deemed to be satisfactory, and it was thought that the best way to provide additional accommodation was to take the sick from the workhouses and place them in infirmaries. That was the leading principle of the right hon. Gentleman's Bill. There was to be a separation of all the classes. Provision was to be made for fever patients, and children were to be put, as far as possible, into district schools. To secure separation of classes power was given to amalgamate parishes or unions into districts; and to take the sick from the various workhouses in such a district and put them in one infirmary. But there were other provisions in the Bill of the right hon. Gentleman. It contained provisions as to dispensaries; provided for further uniformity in management by repealing certain local Acts, placing the relief of the poor where there were local Acts on the same footing as it was elsewhere; and it also gave power to the Poor Law Board to combine parishes into unions, though under local Acts, without the consent of the guardians. The Bill now before the House was to amend and enlarge that Act in certain particulars. It would certainly be interesting to the metropolis to learn briefly what had been done under the Act of the right hon. Gentleman. That Act proceeded on a double basis—that it gave power to amalgamate unions or parishes for certain purposes, and it also gave power to amalgamate parishes, but not unions, for all purposes. As to that second point little had been done—only the parish of St. Martin's had been added to the Strand Union, and St. Anne's, Soho, to St. James's, Westminster. Further progress had not been made, owing to the opposition of the guardians to all amalgamation, whether for all or for partial purposes. He stated, as a fact, without wishing to comment on it, that the course of legislation had been in favour of amalgamation since 1834; Committees had also been in its favour; but little as yet had been done in the way of amalgamation, because the local authorities had uniformly resisted it. It was only by amalgamation that they could secure the classification of paupers. If any importance was attached to the separation of the various classes from each other—that the sick should be taken from the able-bodied, and that these should be separated from the infirm, so that they might deal properly with each class—if that was desirable—and he thought it most desirable—it could only be done by the enlargement of areas; it was towards the enlargement of areas that the legislation of late years had inclined, and he should be exceedingly sorry if that policy should be arrested. As regarded amalgamation for partial purposes, greater progress had been made. The whole metropolis had been put into one district for the purpose of dealing with imbeciles and lunatics. It was considered by the House that this class should be withdrawn from workhouses altogether; the Metropolitan Asylums Board was constituted to deal with them; two asylums were ordered to be built, and were now in course of construction at Leavesden and Caterham. The right hon. Gentleman had stated that 2,000 lunatics had to be provided for; and the two asylums would contain accommodation for 3,000. It might be asked why go to this extravagance of providing for 3,000 when there were only 2,000 imbeciles to be accommodated? But there were actually 3,000 imbeciles in the workhouses, and it was felt they ought not to be left among the other inmates, which they must be where there was over-crowding in insufficient space. It was necessary that asylums should be built to contain 3,000 lunatics instead of 2,000, according to the statistics subsequently collected. There was an increase in the number of lunatics throughout the whole country, he believed, at the present time; but, however that might be, the accommodation to be provided was not more than was positively required. That accounted for one excess on the estimates of the right hon. Gentleman for which he could not be held responsible. Then as regarded the cost —the estimate for 2,000 lunatics, at the rate of £50 per head, was £100,000; and with the actual increase in numbers it would be £150,000. But he was sorry to say the actual cost would be £280,000 instead of £150,000. It might be asked whence this excess? He spoke quite impartially—he thought the right hon. Gentleman had omitted the sites, which formed a serious item; because they had not only the market price to pay, but when they came to purchase the site of a hospital the market price was always considerably increased. Then, again, he was not sure that the right hon. Gentleman had considered the furniture. Several other items had also run up the estimates, and the actual cost per head would be £73 instead of £50. ["Hear, hear!"] His hon. Friend said "Hear, hear," but any man who built a house now would certainly find the cost of building very much increased beyond what it would have been five or six years ago. The right hon. Gentleman had stated at the time that the calculations he gave were rough estimates, and probably he had taken as his basis the cost of other workhouses built five or ten years ago. If, then, the present estimates were too high, who was responsible? The position was this—the Metropolitan Asylum Board constructed these buildings under a certain control of the Poor Law Board. The Metropolitan Asylum Board consisted of sixty-five members, forty-five of whom were elected by the rate-payers, and, as they assured the Poor Law Board, they had done their very best to keep down the expenditure. They denied that there was any extravagance in their estimates. With regard next to the fever and small-pox hospitals there was also an increase on the estimate submitted to the House three years ago. The case in regard to the fever hospitals was this—there were three originally planned and projected—one at Stockwell, one at Homerton, and one at Hampstead. For these three fever hospitals and two small-pox hospitals the right hon. Gentleman calculated there would be 1,000 cases, and that the cost would be £70 a bed. But a fever hospital could not be constructed like an ordinary workhouse hospital. The rate-payers of the metropolis took great interest in the matter, and no one could have any desire either to exaggerate or under-rate the cost of these buildings. Was it necessary that the metropolis, with 3,000,000 of inhabitants, should have fever hospitals at all? He thought it was—that they were as necessary a part of our pauper system as any other; and it would be evidently economical in the long run that they should be able immediately to isolate all fever cases and treat them by themselves. That was the feeling of the House in 1867. As regarded fever hospitals, the position was that there were to have been three, but on re-consideration between the Metropolitan Asylums Board and the Poor Law Board, one had been dropped, at all events, for the present, and it was now thought that two, placed at the extreme ends of the metropolis, would be sufficient—one would be at Homerton, the other at Stockwell. If the third should be ultimately built, the experience gained in the others might be utilized in the third. Three sites had been purchased; at Hampstead the site would not be used at present. Each site cost £15,000; so that they started with £45,000 for sites. For fever hospitals it was necessary to have plenty of room. It was necessary to build them in blocks, and to have separate administrative arrangements for the various classes of fever and small-pox cases, so that there might be as little risk of infection as possible. Altogether the arrangements for these fever hospitals were different from those of ordinary hospitals. He had taken great pains to cut down these estimates, and certain changes had been agreed to in deference to his desire for economy; but the medical gentlemen represented that they were responsible for the sanitary arrangements, and that there were certain sanitary rules which must not be infringed. If the three fever hospitals had been built the amount would have reached £210,000. He could not accurately state what the amount would be now that one hospital had been dropped. He had inquired what was the cost of the Government hospitals at Netley and Haslar, and the answer was that they had cost from £300 to £325 per bed, including all the furniture, fittings, bedding, and other necessaries. The cost of these hospitals had been enormous, but the cost of the fever hospitals would not reach £150 a bed. Provision had, moreover, been made in that estimate for additional space on the site for temporary structures in case of any emergency. The estimate of the right hon. Gentleman was for £70,000; but the actual expenditure would have amounted to £210,000. The next item in the list was for schools. The right hon. Gentleman's estimate made provision for 1,000 children in new schools at a cost of £40 per head, making £40,000, and the enlargement of existing schools was estimated at £30,000 more, making a total of £70,000. When he (Mr. Goschen) came into Office he found that there were to be four new district schools —at Kensington, Paddington, Finsbury, and one other place which he did not remember. Each of these schools was to hold between 500 and 600 children, and although the actual cost of the buildings was to be £30,000, yet, including the site, furniture, and fittings— which latter items led to the discrepancy in the estimates — each would cost a little more than £50,000, making a total of £210,000 to be spent on the schools, instead of £70,000, the estimate of the right hon. Gentleman. He did not carp at the right hon. Gentleman's estimates, but merely put the facts before the House. They, therefore, started with a cost for lunatic asylums of £280,000, fever hospitals, £210,000, and £210,000 for the schools, making a total of £700,000 for these three classes of paupers. But the catalogue was not yet exhausted. There were also to be infirmaries for the sick. Six districts had been formed, and, speaking roundly, each of the district infirmaries would have accommodation for 500 sick, at a cost of between £40,000 and £50,000 each. There would thus be an item of £300,000 for separate infirmaries. The proposed enlargements of existing workhouses, and the cost of new workhouses amounted to £400,000, so that the total and, he must admit, frightful outlay, which stared the rate-payers in the face amounted to no less than £1,400,000, and this at a time when there was a great increase of expenditure in consequence of the increase of paupers in the metropolis. If he contrasted this proposed outlay with that of previous years, it would be found that while the total amount expended since 1834, when the Poor Law Commission was issued, had been £1,500,000, plans had been formed during the last three years for an expenditure of £1,400,000, being nearly as much as in the whole thirty years before. It was only fair to remember, however, that there were arrears to be made up for many years, during which the local authorities had allowed things to go on in a way which public opinion did not sanction when its existence was ascertained, and that a good deal of re-construction was necessary. The figures in question had startled him as well as the House, and he had carefully examined the extent of the present accommodation. He would first examine the arguments in favour of these separate infirmaries. They only made about one-fourth of the proposed additional expense, yet they gave rise to more opposition than any other part of the expenditure. They were opposed on different grounds. It was said by some that the sick ought to be treated at their own homes; by others, that it was wrong to bring a large number of the sick poor together, because the result would only be to breed disease. The guardians of many parishes objected to separate infirmaries, where the poor would be withdrawn from their control, while the ratepayers, on their part, objected to the increased expense. No doubt, it would be very desirable that the poor should be treated in their own homes, if it were possible; but he had already remarked how great was the difference between the metropolitan poor and those of country districts. A vast number of the London poor had no homes at all, and to attempt to treat disease in such homes as large numbers had would be a perfect mockery; they all knew the state of overcrowding in many metropolitan districts, and the health of the poor generally would be compromised if that were attempted, except in a few cases. Many of the diseases of the metropolitan poor were, indeed, peculiarly unsuited to treatment at home. But it was said that a dispensary system existed in Ireland, and why not introduce it in London. In Ireland, however, the number of in-door sick bore an enormous proportion to the out-door paupers. There were only 18,000 out-door paupers in Ireland, and of the number of in-door paupers not less than 18,000 were sick. The difficulty in London had turned upon the question whether the sick should be attended to at the medical officer's surgery or in a dispensary. A great many medical officers said it was more convenient that the sick should attend at their surgery, and, as the guardians of many unions agreed with them, there was great resistance, except in four or five cases, on the part of the guardians to the establishment of dispensaries, partly on the ground of expense and partly because of the difficulty of finding a suitable site. The right hon. Gentleman's Bill required that a dispensary committee should be formed, it being thought better that the guardians should elect a committee to attend to the dispensary. Guardians opposed every arrangement under which they were likely to lose any portion of their authority, and accordingly they opposed the establishment of dispensary committees. It was useless to attempt to force guardians to establish dispensary committees if they were determined not to do so, for the only power which the Poor Law Board possessed was that of proceeding by *mandamus*. If, therefore, these dispensaries were to be established at all, it must be by interesting the guardians in them; and the Bill accordingly proposed to make the payment of the medical officers' salaries from the common fund dependent on the establishment of these dispensaries. Nothing could be worse than attempting to exercise powers which were ostensibly conferred, but which lacked the machinery requisite to carry them out; it was far better, if possible, to bring about co-operation between the guardians and the Poor Law Board; and in the case of schools this had been happily accomplished by means of a process similar to that which the Bill now recommended, 8,000 children being now in separate schools, and only 2,000 in the workhouse schools, a result due to the fact that the expenses of children in district schools were paid out of the common poor fund of the whole metropolis, and not out of the fund of the particular locality. As regarded hospitals, there were some authorities who maintained that to crowd large numbers of persons suffering from the same diseases into hospitals was exceeding injurious. Paupers, however, were unlike hospital patients generally, seeing that the majority of those suffering were old and infirm, and had not among them an equal proportion of contagious and acute diseases. Objections were made on the score of distance, which he thought were very often pushed to extremes. Bearing in mind, that among the 30,000 persons in the workhouses there were 12,000 sick, it was impossible to provide in London hospital accommodation sufficient for that number in the vicinity of the exact localities from which they came. Guardians fancied that if paupers were sent to any distance for treatment control over them was lost, and they looked upon it as a hardship if a pauper were removed even three or four miles—say the distance of the City from St. George's, Hanover Square. Of course, if large buildings were sought to be established in localities already crowded the cost must be proportionate, and he might mention that in the Holborn Union it had been actually proposed to buy a piece of land for £25,000 rather than fall in with a scheme under which, at much less cost, the buildings might have been erected at a distance of four or five miles. No doubt the expenditure upon infirmaries was a matter upon which the rate-payers would have a great deal to say. And he confessed that when the total expenditure of £1,400,000 was brought before him he was startled, for previously the figures had been taken, not in the aggregate but dealing with each case upon its own merits. It must be remembered, however, that London contained a population of 3,000,000, and that the annual rateable value of its property was £17,000,000, so that if the £1,400,000 required were raised in the way of an annuity, the burden would not be intolerable. But was this expenditure really necessary? Desiring to test the manner in which the estimates had been prepared, and to ascertain the actual amount of existing workhouse accommodation as compared with the requirements, he caused a circular to be issued to the master of each workhouse requiring a Return as to the numbers on a given night. They were directed to fill it up with information under the various heads. These made inquiry as to the number of beds in the workhouse, the total cubic space in each ward, the number of inmates on the particular night, and the different classes to which they belonged—how many sick, how many aged and infirm, and how many able-bodied. To the first inquiry it was answered that, without reference to children who were in separate schools, the total number of beds was 27,840, while of persons sleeping in them there were 28,640. 156 persons slept on the floor. Beds also were made up in the oakum-rooms, dining-rooms, and other places, including twenty-five beds in corridors and twenty in a passage. The result, therefore, showed that on the night in question there was not a single spare bed in the workhouses of the metropolis, and, further, that the workhouses contained more inmates than they could properly hold. As to cubic space the House would remember that some few years ago this subject was investigated by the Cubic Space Committee, and a certain minimum was laid down as essential. Tested by the standard, it was found that, for the total number of inmates, there was a deficiency of cubic space amounting to 2,200,000 cubic feet—equal to the space that would be required for 4,500 inmates. That number of persons accordingly was in excess of the proper number of inmates, and this was not extraordinary, considering that in the last two or three years the number of in-door paupers had increased to about that extent. These facts showed that the time had fully come for taking decided steps to increase the existing workhouse accommodation. He was not in favour of providing for future requirements, because he did not believe the recent increase in pauperism would continue progressing. He did not like to believe that it could not be reduced, and when emergencies arose they might be met by erecting temporary buildings or by hiring others. It was clear, however, that under existing arrangements the overcrowding in workhouses was enormous, and the result was that it was impossible that any classification of the paupers could be maintained. If there were a few beds to spare in an able-bodied ward, children had to be put into them, and even the sick and infirm had to be provided for in a similar manner. This was a very great evil, for one most important method of keeping down pauperism was to maintain an efficient classification of the paupers. The right hon. Gentleman opposite (Mr. Gathorne Hardy) had endeavoured to extend classification in the workhouses, and he felt assured that the House would be prepared to support further efforts in that direction. To show what was the present state of the classification in London, he would just quote a couple of instances from Returns furnished by the masters of the workhouses, not made with any view to sensational effect, but merely recording actual facts. In one ward in the Bermondsey Union, on the occasion of the Return he referred to, there were six imbeciles, two able-bodied adults, four children between the ages of seven and fifteen, and twelve under seven years of age. Here, therefore, were children, imbeciles, adults, and sick, all sleeping in the same room. This was a state of things which he ventured to think was intolerable. In another ward there were two healthy adults, five boys under fifteen, and two imbeciles. A great deal had been said about the contamination of workhouses, and there was much truth in what had been said, but how could they expect a better state of things when the classification could not be kept up? In another, which was an infirmary ward, there was one fever, one lying-in patient, one imbecile, and fourteen ordinary sick. It was evident from the facts to which he had adverted that it was impossible for the matter to be left by the House where it stood at present, and that the efforts made by the right hon. Gentleman opposite must be continued in order to secure that classification which was necessary both for health and on account of other equally important considerations. It was by means of amalgamation alone that such results could be obtained, and by the same means economy of expenditure and simplicity of administration would be secured. By uniting three or four workhouses together their various inmates might be classified, and each class provided for in one of the houses, instead of separate buildings being erected for the accommodation of certain classes whom it was not desirable to allow to communicate with the other classes. He admitted that some opposition to an amalgamation scheme might be expected from the local authorities, who were adverse to such a plan, and the arrangements would therefore be difficult to effect unless he was supported by that House; but he thought that the general advantage to the public at large would be so great that the House would be inclined to disregard such opposition. It was agreed by most persons that the sick ought to be treated separately, and also that children ought to be treated separately. It might be desirable also to treat separately a certain class of the able-bodied, so that they might be brought under a different discipline. The differences in the sizes of the unions in London, in their rateable value in the amount of pauperism, and in every respect, struck the eye at once. Great progress might be made in the direction of amalgamation without having any unwieldly union, or one so great as some of the existing unions. The local authorities had strongly urged that a large population could not be managed by one Board of Guardians. Now, hon. Members who represented large towns could give them an answer on that point. The parish of Liverpool was far larger than any single union in the metropolis. Birmingham and Manchester dealt with their poor in large masses. By carrying out this system of amalgamation, and uniting for all purposes the various parishes now in the sick asylum districts, at least eighteen Boards of various kinds might be abolished. This would effect a great reduction in the cost of administration. Moreover, they would thereby get rid of many sick asylum Boards, and of some school district and other intermediate Boards. He could enumerate many other advantages that would arise from the proposed amalgamation; but he had better mention at once the advantage on the score of economy. As regarded two of the sick asylum districts, it would be possible by classifying the paupers in the workhouses to get rid of those districts without the necessity of any fresh building. In those two districts, therefore a saving of £100,000 would be effected. In two other districts it would be necessary not to raise a fresh building, but only to enlarge existing buildings; and that enlargement could be effected at a cost of £20,000 instead of £50,000 or £60,000, the sum required for each of the new buildings. By the plan therefore that he proposed he believed it would be possible to save £200,000 upon these infirmaries, and at the same time to secure that classification which was so desirable. One of the fever hospitals had already been suspended, and thereby £50,000 more possibly would be saved. On the question of schools his plan would save £100,000. It would be recollected that £210,000 had been asked for building new schools. [Mr. GATHORNE HARDY: How many children are there?] There were 600 children in Kensington, 500 in Paddington, 700 in St. Pancras, and 600 in Finsbury, making, with some others, about 3,000 children. These district schools, taken by themselves, were necessary; but looking at them as a whole he believed they would be able to save two schools out of the five schools. Two or three of these schools were at present full, because they were accommodating children from other unions that were building schools; but when these were built there would be a surplus accommodation. If the guardians, instead of opposing this plan of amalgamation, would co-operate with the Poor Law Board, he felt confident that two of these schools might be saved. Such a saving would not be at all desirable if it were to be effected by keeping the children in the workhouses. That must not be done; but if it were found that by a re-arrangement of the school districts a large saving of money might be effected for the metropolis, he did not see why the guardians should oppose it for the sake of keeping the matter in their own hands. In this case, as in others, it was by enlarging their areas that a saving could be effected. His plan saved all the margins, and utilized to the utmost all existing accommodations. That would be felt in various places, and the saving in that respect in six schools would be 500, thereby saving school buildings for that number; and as to future contingencies they need not much trouble themselves because he believed the maximum of increase had been reached, and that they need not go beyond providing for present necessities. The economy made possible by amalgamation would be from £400,000 to £450,000; but he wished at the same time it should be clearly understood that he would not incur the responsibility for stopping that system of separation to which he had referred. They must get the children out of the workhouses as cheaply as possible, and try to make use of every inch of ground. In some cases it might be found desirable to have two schools for one district. By means of this plan, the orphan children and children deserted by their parents might be separated from children who, with their parents, went in and out of workhouses, and did much to destroy the usefulness of those schools. Those children brought in with them every kind of disease, and all sorts of contaminating influences. It was manifest, therefore, that a separation of them from orphan children and children deserted by their parents was very desirable; and the further we could go in the direction of such separations, the more we should get over the difficulty arising from our not being able to have a complete classification of paupers. He might observe, too, that in workhouses in which all the paupers had been kept, the one set of officers had to deal with all classes of inmates—the sick, the able-bodied, and children. Efficiency and economy would necessarily result from having officers specially suited to the class of paupers with which they had to deal. Great good would be effected if they could separate in the workhouses the able-bodied young women from the others. They would be able to have better discipline, and the arrangements of the workhouses in that respect would be more satisfactory. The changes which he had indicated were, no doubt, in the direction of an equalization of the charges for the poor of the metropolis. What he proposed was a step in the direction of equalization, but it was not to be regarded as a substitute for it. It was no substitute for such a system. We could not have complete equalization till we had some check which would prevent one parish from spending more than another, so that no one parish could make too great a pull on the common purse. He was in favour of an equalization of poor rates in the metropolis, as far as that equalization could be accompanied by such a control; but he was sure the House would be unwilling to listen to a proposal for equalizing the rate without an arrangement which would secure that all the parishes should deal justly by the common fund. How did he propose by the Bill on the table to accomplish the objects which he had in view? The Bill of the right hon. Gentleman opposite (Mr. Gathorne Hardy) gave power to the Poor Law Board to amalgamate parishes without the consent of the guardians; but it did not give the Board a similar power in respect of unions. The unions in the metropolis were generally large, and there were not many of them which could be amalgamated, but there were some. In this matter there was rather delicate ground for him to touch upon, but he felt it his duty to do so. In the City of London there were three unions—the City of London proper, with rateable property valued at £1,800,000, and the West London and the East London, each of which had rateable property valued at £200,000. In the first named of these unions the rate was only 7*d.* in the £1; in each of the two others it was 3*s.* At present the East and West London Unions, with the consent of the guardians, might be amalgamated with the City of London proper; and a few weeks since the Poor Law Board had asked the guardians of the two latter unions whether they would consent to their own dissolution in order that they might be united to that rich union, whereby these rates would be reduced from 3*s.* to about 1*s.*? He had not received an answer to that question; but from the proceedings of the West London Union he perceived that the guardians were much dissatisfied with the proposal. Indeed it would appear from their debate that there was no chance of their consenting to it. He had imagined that the union of the City of London proper might be opposed to his proposal; but he had not supposed that the poorer unions would object to a scheme which would reduce their rates so considerably. In this Bill there was a clause which would empower the Poor Law Board to amalgamate unions without the consent of the guardians. He further took power to amalgamate sick asylums and school districts, but the separation of the sick would not be interfered with. He wished the House to understand that the Bill was not one which would increase expenditure. It was by no means the wish of the Poor Law Board to increase the burden on the rate-payers. They were alive to the duty of keeping down expenditure by every possible means short of sacrificing the primary object for which the Poor Laws were established. He should explain the clause respecting buildings. Where a parish had spent more than a certain amount upon building, the additional charge was to come upon the common fund. The clause with regard to the establishment of dispensaries could be more conveniently discussed in Committee than on the second reading, and then he should be prepared to state fully the views which had induced the Government to propose them. The only other clause to which he need address himself at present was Clause 3, which he thought would give rise to more opposition than any other clause in the Bill. It was perfectly separate from the other subjects on which he had been addressing the House. Clause 3 dealt with the collection and assessment of the poor rate. In London, as in some other large towns, there was a large number of local Acts under which the local taxation was collected; and with no part of the system was it more necessary to grapple than with the collection and audit of rates under those local Acts. Persons often complained, and with justice, that at present they often did not know what rate they were paying or when they would have to pay it. That arose from the number of separate Acts which regulated the rate collection, and the House would see how difficult any audit must be when every parish had its own system. Great abuses had resulted from the present system. There were two cases which, during the last two months, had come under his attention. In one parish which he would not name, the rate had for five years been made by the vestry, instead of by the overseers. They were not responsible, as the overseers were, and for five years they had not raised sufficient money to defray expenditure, and had made temporary loans, quite against the law, in order to carry them forward. A deficiency of £7,000 was the result, and the vestry then came to the Poor Law Board to know what they were to do. He asked—"What can the auditor have been about?" But the answer was—"We have our own system of accounts; we have got our own local Act." In the case of Greenwich there was a defalcation; and then again he asked—"What has the auditor been about?" and was told again that the parish had their own local Act and were not subject to the general law. It had been said of Clause 3 that he was asking that local Acts should be repealed and the collection of rates put under the orders of the Poor Law Board. That was not the intention of the clause, and if the words bore out that construction they should be changed. The meaning of the clause was that the local Acts should be repealed so far as the collection of rates was concerned, and the parishes put under the general law of the country; and he did not see why, especially where there was a common fund and one general interest throughout the metropolis, this exemption from the general law should be maintained. At the same time it was a subject which must very soon be dealt with as a whole throughout the whole country. In the Committee which sat upon this subject it was felt that all rates should be collected at certain intervals by the same collector, and that a certain degree of order should thus be established. If, however, every local authority could plead a local Act, the Poor Law Board could not establish order out of such chaos. He was not particularly anxious as to the passing of Clause 3 in the present Session, if thereby the Bill were delayed; because, while he recognized the importance of the clause, he felt that if the object aimed at were not accomplished this year, a general measure would be passed next Session. He felt that he had trespassed an unconscionable time on the patience of the House, though he had not even yet dwelt sufficiently on some points of detail, especially with regard to the separate infirmaries. The great object of the Bill was to classify by amalgamation rather than by increased buildings—to exhaust every possible means at present at their command before they built any more; and he trusted that, in carrying out this amalgamation, notwithstanding the opposition it must create, he should have the support of the House.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Goschen.*)

MR. W. M. TORRENS said, that at that late hour it was hardly possible to continue the discussion of a measure of such importance, and he therefore moved that the debate be now adjourned.

MR. GATHORNE HARDY said, he hoped that the Government would give the House an opportunity of discussing the question fully.

MR. GOSCHEN said, the Government were most anxious that the Bill should be thoroughly discussed.

MR. W. M. TORRENS said, he wished the debate to be adjourned to Monday next.

MR. GLADSTONE said, he agreed that the discussion on a Bill of such importance should not be stinted, but other questions of still greater urgency were before the House, and, therefore, he could not give Monday or Thursday for the further discussion. If Supply went off early next Friday, as it might do, the Bill might be fixed for that day, but would not be taken at a late hour.

Debate *adjourned* till Friday next.

OXFORD UNIVERSITY STATUTES BILL.

On Motion of Mr. GATHORNE HARDY, Bill to remove doubts as to the validity of certain Statutes made by the Convocation of the University of Oxford, *ordered* to be brought in by Mr. GATHORNE HARDY and Mr. MOWBRAY.

Bill *presented*, and read the first time. [Bill 136.]

COMPANIES CLAUSES ACT (1863) AMENDMENT BILL.

On Motion of Mr. GOLDNEY, Bill to amend the Companies Clauses Act, 1863, *ordered* to be brought in by Mr. GOLDNEY and Mr. EYKYN.

Bill *presented*, and read the first time. [Bill 138.]

PIER AND HARBOUR ORDERS CONFIRMATION (NO. 2) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for confirming certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act 1861," relating to Falmouth, Fowey, and Padstow.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. LEFEVRE and Mr. JOHN BRIGHT.

Bill *presented*, and read the first time. [Bill 137.]

House adjourned at half after Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, 31*st May*, 1869.

MINUTES.]—PUBLIC BILLS—*First Reading*—Pharmacy Act (1868) Amendment* [108].

Second Reading—Newspapers, &c .[80].

NEWSPAPERS, &c., BILL—(No. 80.)

(*The Marquess of Lansdowne.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE MARQUESS OF LANSDOWNE, in moving that the Bill be now read the second time, said, that its object was to repeal certain obsolete enactments relating to newspapers, pamphlets, and other publications, and to printers, type-founders, and reading rooms, which uselessly encumbered the statute book. One of these, the 39 *Geo.* III., c. 79, required the licensing of rooms used for lectures, debates, and news-rooms, where any charge was made for admission; and the registration at the office of the clerk of the peace of all printing and type-founding establishments; while another required all printers of newspapers to enter into recognizances, subject to forfeiture in certain cases. These enactments arose out of special circumstances which no longer existed, the 39 *Geo.* III. being passed at a time when the public mind was much alarmed, and when there was reason to fear that internal discord would be added to the misfortune of a European war; while another Act bore the date of 1819, when much agitation existed, and when it was thought necessary to subject the Press to every conceivable restriction and coercion, and to force upon them a kind of fictitious loyalty. No reason, however, for taking such a course now existed, and there was no ground whatever for treating them on any other footing than other classes of literature. In repealing these Acts their Lordships need not apprehend that there would be no security against an abuse by the Press of the power which it enjoyed, for it would remain amenable to the Libel and other Acts. Again, the distinction between newspapers and books being one not of kind but of degree, it was an act of marked injustice to impose upon the former exceptional restrictions which were not imposed upon the latter. Generally speaking, moreover, these

Acts had not of late years been enforced, though their retention on the statute book sometimes enabled persons to take advantage of them with the view of gratifying personal feeling. They formed part of a system of legislation which had passed away; it was intimately connected with the stamp duties, and he believed it was originally the intention of Mr. Gladstone, when repealing those duties, to remove these enactments; but it was then thought better on re-consideration to confine the measure to the abolition of the stamp. The result, however, had been to place the Board of Inland Revenue in an anomalous position, as exercising a sort of censorship over the Press. As the stamp duty had been repealed, he thought that all other restrictions should be removed: but beyond this consideration he thought that, upon broader grounds, it was the duty of the Legislature to relieve the Press from restrictions of so invidious a character. Their Lordships need be under no apprehension that the British Museum would lose its title to a copy of every newspaper, as its privilege would be secured in a more effectual way by a Bill which was pending in the other House. Considering the high character for loyalty and integrity of the English Press, he trusted there would be no objection to this measure.

Moved, "That the Bill be now read 2ª."—(*The Marquess of Lansdowne.*)

LORD CAIRNS said, he did not rise with any intention of opposing the Bill. He believed that, as the noble Marquess had said, the Acts of Parliament mentioned in the Schedule of the Bill were obsolete; that they had fallen into disuse; that they were parts of a legislation that really had passed away; and that whenever any action had been taken under them it had been of a spasmodic kind, and in order to gratify personal feeling rather than to further the ends of justice. He only rose now for the purpose of observing upon a recent occurrence in reference to one of those Acts. The Act of 1799 was passed at a time when the public mind was very much alarmed, more particularly with reference to events then happening on the Continent, and to an insurrection then prevailing in Ireland. One of the provisions of the Act was of a very severe character. It imposed a heavy penalty upon any lecturer who delivered a lecture, to which he charged admission, in an unlicensed room, and it also rendered all persons attending any lecture in a room which had not been licensed by the magistrates liable to a penalty of £20. That this provision was tyrannical, capricious, and absurd, nobody, he supposed, would now venture to deny; but the singular thing about it was that it had been put in force by the Government within the last few weeks. He was informed that lectures were being delivered, in different towns in England, by a lecturer whose name had very frequently been before the public, and upon the discretion of whose proceedings as a lecturer he did not wish to pass any opinion, for he was not aware of the precise character of the lectures, or of the circumstances under which they were delivered; he was told, however, that they were lectures of a controversial, or religious kind, and that there was nothing illegal in them. It seems that the Home Secretary was applied to in March last by persons disagreeing with the subject-matter of the lectures, and asked to authorize or instruct the magistrates to prevent their proposed delivery in a private hired room at Tynemouth, on the ground that a disturbance was apprehended. The reply of the Home Secretary, as might have been expected, was that the magistrates had no power to prevent the delivery of lectures on such a subject, and that otherwise the discussion of questions of public interest might be stopped whenever those who took the opposite side threatened to disturb the meeting. That reply was dated the 21st March. Now, this Bill, which proposed to repeal the Act of 1799, was introduced into the House of Commons on the 8th of April; but, in the meantime, that Act of 1799 had been brought to the notice of the Home Secretary, and he authorized the local authorities of Tynemouth to issue a notice that every person attending Mr. Murphy's lecture, and paying money for admission, would be liable to a penalty of £20 under the Act. The lecturer had hired a room, and had announced that to defray expenses 2*d.* would be charged for admission. Had there been no charge this old Act could not have been brought into operation to stop the lecture, but advantage was taken of the charge of 2*d.* to put it in force. The Home Secretary, in a letter on the subject, stated that, having been applied to by the mayor to know what steps could be taken, he had not hesitated to put in force an Act which he quite admitted was one to be used only in extreme cases. Now, whatever might be the purport of the lecture—always supposing that there was nothing in it actually illegal—he thought it was to be regretted that the Government should have interposed to prevent free discussion, whatever form it might take; and it was still more to be regretted that only four days before introducing this Bill, which must have been already in print or drafted, they should put in force an enactment which they asked Parliament to repeal as obsolete, and as only enforced spasmodically, and for the purpose of gratifying personal feeling.

THE LORD CHANCELLOR, while concurring with his noble and learned Friend in the expediency of repealing these enactments, felt bound to add a few words in order to explain the precise circumstances connected with the very singular demonstration which was contemplated at Tynemouth. The gentleman, of whom notice had been taken by the noble and learned Lord, and who was in the habit of lecturing in various parts of the country, had so conducted himself as to excite not merely the degree of opposition which might reasonably be expected by every man advocating opinions distasteful to a large number of the inhabitants, but to occasion the actual shedding of blood and open and violent conflicts in more than one place. There was nothing on which the feelings of people were more easily aroused than on religious questions; and the lecturer, on a previous visit to Tynemouth, had so conducted himself that a disturbance arose—a disturbance which he (the Lord Chancellor) was far from regarding as justifiable, but which resulted in the firing of loaded arms into the lecture-room, to the great alarm and danger of the audience—many of whom sought to escape danger by taking shelter under the seats. The magistrates had information that, in spite of all this, he proposed to repeat his lecture and these causes of excitement; and they accordingly appealed to the Home Secretary to inquire what course could be taken with regard to the anticipated disturbance. Mr. Bruce found himself vested with these powers, not merely under the Act of 1799, but under an Act of the 8th and 9th of the Queen, in which, on the proposal of the late Mr. Thomas Duncombe, who certainly had no desire to continue oppressive enactments, the old statutes were dealt with—the precaution being taken that no prosecution should be instituted without the direct sanction of the Law Officers of the Crown. Under these circumstances, the Home Secretary, finding that bloodshed had all but occurred on a former occasion, and that there was to be a repetition of these proceedings, felt that, whatever might be the policy of continuing this power, it was his duty to do all he could to arrest the expected calamity, and that, while the law existed, this was a case, if ever there was one, in which it should be enforced. He trusted their Lordships would be of opinion that in so doing he had simply performed the duty intrusted to him.

LORD CAIRNS said, that the object of the Act of the present reign was to curtail the operation of the enactment of 1799 by requiring the assent of the Law Officers of the Crown, and that the Home Secretary could not prevent the delivery of the lecture, but could simply threaten to enforce the penalty for making a charge for admission. He doubted the policy of giving the public to understand that if any body of persons disliked the subject-matter of a lecture to be delivered in a private room they had only to fire shots through the window in order to induce the Government to prevent the repetition of the lecture at any future time.

THE LORD CHANCELLOR explained that he had not stated that the Home Secretary could prevent the delivery of the lecture. All that he had power to do was to warn persons, who had so misconducted themselves as to occasion a breach of the peace, that, if they made no charge they would be dealt with in one way, and that if they attempted to make a profit by such proceedings, this particular law would be enforced against them.

THE DUKE OF SOMERSET, as a trustee of the British Museum, remarked that the collection of newspapers in that institution was of great value, and that historians, such as the late Lord Macaulay and Mr. Hallam, attached great importance to it. As this Bill would put an end to the arrangement by which the newspapers were obtained, he hoped its further stages would be delayed until security had been given for a continuance to the Museum of its present advantage. He thought it would have been much better had a comprehensive Bill been introduced, repealing all the old Acts, and embodying all the regulations which it was intended to retain; for the present measure could not be understood without reference to numerous statutes.

THE MARQUESS OF LANSDOWNE explained that, whereas the British Museum was now supplied through the Stamp Office, a Bill was passing through the other House which would secure it a copy of every newspaper directly from the printers; so that, in future, the British Museum would, in this respect, stand on a much better footing than it did at present. A Bill such as that which the noble Duke had suggested would have been so complicated, and would have raised so many questions, that there would have been little chance of passing it this Session.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 17*th of June* next.

House adjourned at Six o'clock,
till To-morrow, half-past
Ten o'clock.

HOUSE OF COMMONS,

Monday, 31*st May*, 1869.

MINUTES.]—NEW WRIT ISSUED—*For* Stafford Borough, *v.* Henry Davis Pochin, esquire, and Colonel Walter Meller, void Elections.

NEW MEMBER SWORN — Right hon. Edward Horsman, *for* Liskeard.

SUPPLY—*considered in Committee*—Exchequer Bonds (£3,300,000).

PUBLIC BILLS—*Ordered—First Reading*—Joint Stock Companies Arrangements * [140].

Second Reading—Pier and Harbour Orders Confirmation (No. 2) * [137]; Metropolitan Commons Act (1866) Amendment * [77].

Referred to Select Committee—Metropolitan Commons Act (1866) Amendment * [77].

Select Committee—On Poor Law (Scotland) Act (1845) Amendment [80], *nominated.*

Committee — Report — Election Commissioners (Expenses) * [109-139]; Norfolk Island Bishopric * [104].

Considered as amended—Customs and Inland Revenue Duties * [132].

Third Reading—Irish Church [123], and *passed.*

COMMERCIAL TREATY WITH AUSTRIA.

QUESTION.

MR. E. EGERTON said, he wished to ask the Under Secretary of State for Foreign Affairs, What is the present position of the negotiations relative to the Commercial Treaty with Austria?

MR. OTWAY said, in reply, that an arrangement had been come to between Her Majesty's Government and that of Austria, relating to the subject named in the Question addressed to him. Negotiations were still pending between the two Governments. Previous to the signature of the Austrian Government being affixed to the arrangement, it would be necessary to obtain the sanction of the Government of Hungary, but no difficulty was apprehended on that head. The outstanding points relating to the commercial treaty with Austria had been embodied in a convention which had been approved by the Austrian Reichsrath, and now only remained to be signed, after the sanction of the Hungarian Legislature had been obtained.

THE BRENTFORD MAGISTRATES—SENTENCE ON CHILDREN.—QUESTION.

MR. BOWRING said, he would beg to ask the Secretary of State for the Home Department, How far there is any truth in the statement contained in the daily papers, to the effect that two infants, aged respectively five and six years, have just been convicted and sentenced by the Brentford Magistrates to a fine of 2*s.* each, or, in default, to seven days' imprisonment, for breaking down and stealing three small pieces of old fencing at Twickenham?

MR. BRUCE, in reply, said, he believed that the statement made by the hon. Gentleman was quite correct. He knew of nothing to render the sentence illegal. He had received a report from the magistrates, in which it was stated that several offences of this kind had been committed, and that the police were directed to keep a watch, and these children were caught. The magistrates had no doubt that the children were sent by their parents. The fine was inflicted in the presence of the parents, in order that the punishment might fall on them. The magistrates declared that there was no intention of sending the children to prison.

IRISH CHURCH BILL—[Bill 123.]

(Mr. Dodson, Mr. Gladstone, Mr. John Bright, Mr. Chichester Fortescue, Mr. Attorney General for Ireland.

THIRD READING.

Order for Third Reading read.

Motion made and Question proposed, "That the Bill be now read the third time."—(*Mr. Gladstone.*)

Sir FREDERICK W. HEYGATE, who had put on the Paper a Notice of an Amendment to the effect that, as the Bill, if passed, would cause a fundamental change in the Constitution of Ireland, it ought in justice to be accompanied by a declaration of the principle at least of any other so-called remedial measures for Ireland in contemplation by the Government, said, that though he was perfectly convinced of the importance of the Motion of which he had given notice, he would take the opportunity of expressing his views in the course of the debate which would be raised by his hon. Friend the Member for North-east Lancashire (Mr. Holt), and begged, therefore, to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. HOLT said, he rose to move that the Bill be read a third time upon that day three months. He did not intend to occupy the House at any great length on that occasion. They had now arrived at the final stage of this unprincipled Bill. The alterations made in it in the Committee had not rendered it in any degree more acceptable, and had not removed its unfairness, injustice, or unconstitutional character. The more he and those who thought with him saw of it the less they liked it; and, though their opposition in that place might be unavailing, they were determined that it should be offered with all the energy of which they were capable, so that, whatever might be the issue of the Amendment, their consciencies might, at any rate, be clear, and their hands clean. It was his duty, therefore, to move the rejection of the Bill, in order to give hon. Gentlemen who agreed with him another opportunity of expressing, by their vote, their disapprobation of the measure, and their hostility to the Liberal code of morality inculcated by the new religion of arithmetical Christianity, whose decalogue was the addition table, and whose standard of truth was the will of the majority. The reasons which influenced him in opposing the Bill had been already laid before the House, and after the kind indulgence which had been extended to him on that occasion, it would be unnecessary to recapitulate those reasons. He would only observe they continued in full force. Nothing had been said in the course of the debate to prove that the view which he took was erroneous, his facts incorrect, or his arguments unsound. He would therefore pass on to call the attention of the House to two or three points which had arisen in the course of the debate, and which he thought worthy of notice. After the experience which they all had of the manner in which this question was treated in that House, he did not expect by anything he could urge to convince hon. Gentlemen opposite that his views were more correct than theirs. But he certainly desired, according to the ability he possessed, to contribute his share, however small, towards a correct understanding of the opinions held on that side of the House, and to call attention to some observations which seemed to show a certain amount of misapprehension on the part of hon. Gentlemen opposite. In passing, he would refer to the challenge thrown out by the hon. Member for Peterborough (Mr. Whalley) to Protestant Gentlemen on that side—namely, why, as Protestants, they were afraid to sever the connection between Church and State? Without going much at length into that question, he would simply observe that they valued the connection between Church and State because they found that the practical result of it was to secure at once the independence of the clergy and the religious liberty of the laity. The control of the Crown left the clergy independent, and at the same time checked spiritual or ecclesiastical tyranny; and, therefore, they supported the connection as a political means of securing in this country religious liberty. Then as to an argument and illustration which had been pretty freely used on the other side of the House. They had been again and again reminded of the wonderful progress which had been made by the Free Church in Scotland, for the purpose, apparently, of encouraging desponding Irish Protestants, and of illustrating the success which attends voluntary efforts. Now, he admired as much as any man the great liberality which had been shown by the Scotch seceding congregations, but he confessed, as far as he had been able to inform himself, he did not find things such as they were represented by hon. Gentlemen opposite. He must remind the House that in Scotland there was a voluntary secession of men, who gave up their endowments because they valued their convictions more than their money, but who took with them an attachment to the principle of Establishments — a principle which influenced their subsequent conduct, and which, to a greater extent, perhaps, than the House were aware, had produced the success which had attended their subsequent operations. When £167,000 a year could be raised for the stipends of ministers by voluntary effort, that seemed to be a great thing; but the House must not look merely to the amount, but must also ask how many it was to be divided among, what deductions had to be made before there could be a division, and how many had no share at all in it. He called the attention of the House to some observations made by the hon. Member for Edinburgh (Mr. Miller). He himself was not in the House at the time, but the hon. Gentleman was reported to have said that some of the ministers in the Free Church received as much as £600 or £700 a year; that the lowest stipend was £150, exclusive of manse and garden; and that the average last year was £250. But the facts, as taken from a pamphlet by the Rev. James M'Naught, recently published, were that nearly one-ninth of the ministers of the Free Church, or ninety-two in all, had no share whatever in the distributions arising from the Sustentation Fund; that there were 183 ministerial charges which had neither manses nor gardens; that 105 of these were in such wealthy cities as Edinburgh, Glasgow, Aberdeen, and Dundee; that in four cases only were the ministers paid above £600; and that there were several devoted and zealous ministers labouring upon incomes varying in amount, but less than £90 a year. One minister wrote that the sum total of his income from all sources was £78, and that he had no house; another, that his income was £65 16*s*. 10*d*.; another, that it was £46, and though he paid no rent he was obliged to keep a pony, because he had to travel over a district many miles in extent. He held in his hand a letter from a gentleman well acquainted with this subject, who declared that partial endowment was the only safe mode of planting ministrations, or of upholding them when planted; and that to raise £40 a year was above the average ability of more than fifty congregations which he knew. From the Report presented to the Assembly of the Free Church on the 28th of May — only two or three days ago—it appeared that in two cases they were compelled to refuse applications made to them to provide for permanent ministrations, in consequence of the inadequacy of the contributions to the Sustentation Fund. It was needless to go on multiplying instances of this sort; but he might refer to a case of thirteen ministers who had applied for pensions, to enable them to retire, on the ground of infirm health, but could not get them because there were no funds at the command of the Assembly. All that seemed to prove that, though in populous and rich districts, it might be possible to maintain the voluntary system—and in those districts, as he had shown, it was not a complete success—in poor and destitute places it was an utter failure. In fact, the system which Her Majesty's Government wanted to introduce into Ireland was one which would deprive poor and destitute districts of the spiritual ministrations of the Protestant Church, and why? Not because Christian liberality had failed to provide the means, but because the inheritance of the poor was sacrificed to the exigencies of the Liberal party. They were told that there was a wealthy Protestant laity in Ireland, who owned eight-ninths of the land, and would be well able to support the disendowed Church. He presumed it was not expected they should support the disendowed Church by re-endowing it. Hon. Gentlemen would scarcely go that length; but if it was meant that the disendowed Church would be supported by voluntary contributions, he would ask hon. Gentlemen opposite, how long the landlords were to possess the means of doing this? They had heard some time ago about a scheme for the distribution of the Protestant lands among the Roman Catholic tenantry. He knew that scheme was said to be founded upon the strictest principles of justice; but if the principles of justice to be applied to the land were as unfair as those upon which this Bill was founded, the landlords themselves would soon be compelled to live on voluntary contributions. Disendowed landlords could not support a disendowed Church. There was another point to which he wished to call attention — namely, the legal argument so ably brought before the House by the hon. and learned Member for Richmond (Sir Roundell Palmer), and of which the First Minister of the Crown, the Solicitor General, and other hon. Gentlemen opposite had evidently felt the force. They had attempted to reply to it, but he confessed they had seemed to him to fail conspicuously. The First Minister had laid great stress on the circumstance that the Church in New York was not originally an Established Church. He (Mr. Holt) wished to call the attention of the House to the fact that there existed in the American law books a case in which an appeal was made to the Supreme Court respecting property which belonged to the disestablished Church in Virginia, on which the Court pronounced a judgment with reference to that property. The leading points of that judgment were well worthy of attention. He quoted from *Collections of Supreme Court Decisions.* Mr. Justice Story said—

> "At a very early period the religious Establishment of England seems to have been adopted in the colony. . . . . By statutes of 1661 and 1667 provision was made for the election of a vestry whose duty it was to make and proportion levies and assessments, and to purchase glebes and erect dwelling-houses for the ministers in each parish. . . . . The lands thus purchased became vested in the Episcopal church, the minister for the time being seised of the freehold."

Mr. Justice Story then went on to explain the circumstances under which the appeal had arisen—

> "By statute of 1801 . . . . . the Legislature asserted its rights to all the property of the Episcopal churches . . . . . and directed the overseers of the poor in each parish in which any glebe land was vacant to sell the same, and apply the proceeds to the use of the poor of the parish."

They thus did something very similar to what that Bill did in regard to the Irish Church. And the opinion which that eminent American Judge gave in the case was this: he denied that—

> "All the public property acquired by the Episcopal churches under the sanction of the law became the property of the State. . . The title thereto was indefeasibly vested in the churches, or rather in their legal agents. It was not in the power of the Crown to seize or assume it, nor of Parliament itself to destroy the grants, unless by the exercise of a power the most arbitrary, oppressive, and unjust, and only because it could not be resisted. It was not forfeited, for the churches had committed no offence. . . We have no knowledge of any authority or principle that could support the doctrine that a legislative grant is revocable in its own nature, or held only *durante bene placito.* Such a doctrine would uproot the very foundations of almost all the land titles in Virginia, and is utterly inconsistent with a great fundamental principle of a republican Government—the right of all citizens to the free enjoyment of their property legally acquired."

Was it surprising that Irish Churchmen who were acquainted with the decision of the Supreme Court in that case, and in the case of Trinity Church, New York, should feel and say with some bitterness—"Had Ireland been a part of the United States, instead of a part of the United Kingdom, the Church might have been disestablished, but her property would not have been confiscated?" They were told that these were legal cobwebs, to be swept away; that they did not meet there for the purpose of discussing points of law, but for the purpose of originating principles of law. Were they to originate principles of law at the dictation of the Minister of the day, without having those principles explained to them, or without having their merits discussed? They had never been told what was the legal principle on which that Bill was founded. He did not know, but he presumed, that it was capable of general application. Was it a principle that would not bear discussion? It might be well that the House should know what the principle was that the large majorities of hon. Gentlemen opposite had again and again asserted; and that they should understand how it was to be guarded in its operation, so that the confiscation of Church land might not serve as a precedent for confiscation on a more extended scale, which would not be altogether agreeable to Whig Peers and Whig landowners. The chief justification offered by hon. Gentlemen opposite for that measure was that, in their opinion, there was a demand for it in Ireland, and they said they had a majority which could, and which would, carry it. "We can and we will." To what straits must hon. Gentlemen opposite be reduced when they heard that doctrine enunciated, and followed those who enunciated it, without any remonstrance —a doctrine which was most extraordinary as coming from the mouth of a statesman, subversive of all rights and liberties, most tyrannical in its conception, and most dangerous in its results! But it was time that he should notice shortly the Bill now before them, as amended in Committee, and under consideration as amended. They were required on that occasion to express their judgment on the entire Bill, now that it had reached its perfect state and received its finishing stroke from the hand of the Government and was ready to be removed to "another place." He confessed that when he came to examine it the first thing which struck him was the very arbitrary character of the Bill. What did it provide? In order to carry out that measure they erected a new tribunal. The Commissioners might be good men; he did not say anything about the gentlemen who were selected as Commissioners under the Bill; he had no complaint to make with reference to them. But what he did complain of was that they were absolutely removable at the will of the Crown—that was, at the caprice of the Minister of the day, or of those advisers to whom the exigencies of his party might compel him to listen; that the appointment of fresh Commissioners was equally in the absolute power of the Crown; that no qualification whatever was required; that there was no restraint on their action, while their powers were most extensive, and the protection of the ordinary courts of law was taken away. Let them see for a moment how that would work. What a power they were putting into the hands of any Government! The Commissioners must act subject to the dictation of the right hon. Gentleman, and were exposed to dismissal if they did not satisfy him. If they were too favourable to the Church—if they failed to interpret the terms "gracious and generous" in the sense in which the right hon. Gentleman and the Government interpreted them,—there was a remedy ready; they would be dismissed, and more pliant tools would take their place. They were now under the rule of a Government, one Member of which —the Chancellor of the Exchequer— loved to test everything by results. That Minister would judge the proceedings of the Commissioners, and their administration of the property committed to their charge, favourably or unfavourably accordingly as the result told for or against the Church—that was to say, if they oppressed the Church, if they exerted the power they possessed so as to secure a large surplus and a good round sum to be divided among the lunatic asylums and hospitals of Ireland, then they would be held to do their work well. If, on the other hand, they were favourable to the Church, and were somewhat—he was afraid to use the word—"generous," but if they acted as that word was ordinarily understood out-of-doors, they would have one Member of the Government, at any rate, dissatisfied with the result, and no doubt anxious to remove them and to find gentlemen who understood political economy rather better. Supposing that proposal had come from a Conservative Minister, instead of from the right hon. Gentleman, what remonstrances they would have heard from Liberal Members! How they would have been told that it was improper to put all those powers in the hands of the Government of the day! But it came to them recommended by a Government and supported by the votes of a party who professed to value the liberty of the subject and to hate tyranny in every shape. That was not all. The Bill placed the churches, the private endowments, and the glebe houses entirely at the mercy of the Minister of the day. The incorporation of the Church Body was subject to the pleasure of Her Majesty—that was, of course, according to the Constitution, subject to the advice which her First Minister might give her. If the right hon. Gentleman, or anyone who occupied his place, should think proper to delay the incorporation of the Church Body till July, 1871, the churches, the glebe houses, and the private endowments, with a few exceptions, would become absolutely at the disposal of the Commissioners. Neither the Presbyterians nor the Roman Catholics were exposed to any risk like that. It was only the Protestant Church of Ireland that was exposed to it; and that was a specimen of what Liberal Gentlemen called "religious equality." And that was not a solitary instance. Let them contrast the treatment dealt out by the Bill to the Protestant Church on the one hand, and to the Roman Catholic Corporation of Maynooth on the other. In the case of the Church, the corporations were all dissolved. In the case of Maynooth, those clauses in the Act which related to incorporation were carefully exempted from repeal. In regard to building and lands, the Church Body could acquire them only if it applied for them during the first six months of 1871; whereas, in the case of Maynooth, the existing buildings and land continued to be vested in the corporate body. Then the Church was to buy her glebes; that glebe land which belonged to her by an indefeasible title, by the law of the land, she was to buy back, or so much of it as their principle of "religious equality" allowed her to retain. On the other hand, the Roman Catholic body were to receive a present—an absolute present—of buildings which had been erected from a national fund, and the debt remaining on them was to be for ever cancelled; while the Church Body was to repay the debt that existed on the glebe houses. That was another example of "religious equality." Then there were the vested interests to be considered. With respect to those vested interests the Church was to be weakened by the isolation of the clergy, whose life interests only were to be regarded, and that under the most strict conditions. In the case of the Roman Catholics, individual vested interests were altogether overlooked, and the corporate body was endowed with a sum of money equal to fourteen years' purchase of the Parliamentary Grant, and free from all conditions whatever. That, again, was a specimen of Liberal notions of "religious equality." He would remind the House of the terms employed in the House and outside of it by right hon. Gentlemen opposite when they described the nature of the measure which they thought of bringing forward in reference to the Church in Ireland. They foreshadowed, in speeches, delivered at Liverpool and other places, the character of the Bill which the country was to expect; and he should like to quote a few passages from those speeches and then to ask the House whether the measure really was correctly represented in the language used on those occasions. The First Minister of the Crown said at Liverpool, on the 14th of October—"We shall adopt the utmost possible measure of mildness in the means." With reference to churches and parsonages, the right hon. Gentleman said—"My opinion is that the feeling of this country, apart from logic, would never endure that they should be taken away from the Church." Then, speaking in that House on the 30th of March, 1868, the right hon. Gentleman said—"Every vested right shall receive absolute compensation and satisfaction." As to the mildness of the measure, he need say nothing; but the promise respecting vested rights had scarcely been carried out in the Bill, because stipendiary curates had been entirely overlooked, although they were promoted, upon the average, at the rate of one in ten every year, and the average duration of their service as curates was only thirteen years. No one could doubt, therefore, that the curates had some vested interest in the prospect of promotion. The President of the Board of Trade had also spoken on the question, and had used language which was not borne out by the character of the Bill. The right hon. Gentleman spoke of the question as a very great one, which ought to be dealt with in a most gracious, generous, and tender manner. The right hon. Gentleman went on to recommend every reasonable concession, and said—"I am against rudeness and harshness in legislation." But, notwithstanding this foreshadowing of the measure, what was its actual character? The ecclesiastical corporations were dissolved, the clergy isolated, and the rectors and curates set at variance. The vested interests of the latter were disregarded altogether; the re-construction of the Church was rendered necessary in a limited time, and only a limited time was allowed for the purpose; an arbitary date was laid down as to private endowments, and thus the Church would be deprived of endowments which belonged to her by just as good a title as any which had been acquired since 1660. The result would be that the flame of religious rancour would be fanned and its energy re-doubled in Ireland, so that, instead of peace, contention and discord would be the result of the measure. Yet this was the generous measure of a Liberal Government and of a Liberal and enlightened statesman. What a perversion of terms! Let hon. Gentlemen opposite read their professions by the light of their practice. What value should we place on these high-sounding terms? He had shown what was their notion of religious equality, and they were not more successful in the other terms which they employed. They called themselves Liberals, but their liberality began and ended with themselves, or extended only to the giving away of that which did not belong to them. They talked of progress, and yet brought forward a measure for the avowed purpose of destroying the ascendancy in Ireland of that very class upon whom the progress, prosperity, and advancement of the country depended. They talked of toleration, and had allied themselves with the most intolerant party in Europe. They proclaimed themselves the friends of freedom of speech, and showed the value of that profession by raking up an old Act of Parliament—which the Home Secretary himself admitted was one of great severity—for the purpose of shutting the mouth of a man who, whatever might be his faults—and he neither denied nor defended them—had at any rate drawn down upon himself the enmity of the intolerant allies of hon. Gentlemen opposite because he spoke the truth. Hon. Gentlemen opposite declared themselves friends of the voluntary principle, and yet grudged the clergy in Ireland the enjoyment of the voluntary contributions of generations which had passed away, because, forsooth! their bounty was greater than that of hon. Gentlemen opposite. Those who sat on that (the Opposition) side of the House had no confidence in such professions when allied with such practices. Their gracious and generous intentions which had resulted in this Bill were not gracious and generous in the proper sense of the terms. Regarding the subject from a political point of view, hon. Gentlemen on that side of the House, as Protestants advocating liberty, as supporters of the most sacred national institutions, distrusting the voluntary principle apart from endowments, and as upholders of law and order, and opponents of robbery and injustice, denounced this measure. In spite of the opposition, in spite of argument, in spite of remonstrances addressed to the Government from their own side of the House, the measure had been brought to its present stage. Hon. Gentlemen opposite expected to carry the third reading. They might do so; but the Opposition would not be their accomplices. The Opposition would not desert their principles and deny their God at the bidding of a majority however large, nor would they help forward a great constitutional change which they believed to be not only a political error and a social calamity, but also a national crime. In such a policy they would have no share. Their hands should not assist in pulling down the British Constitution, but the historian of the future should give to hon. Gentlemen opposite the whole credit of having done their best to remove the chief foundations of the noblest political structure which the world had ever seen. In conclusion, the hon. Gentleman moved that the Bill be read a third time upon that day three months.

LORD ELCHO, in seconding the Motion, said, the following question had been put to him by some of his Whig Friends—"How does it happen that you, who profess to be an independent Member of this House, and who owe allegiance to neither the First Minister of the Crown nor the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli), can reconcile with such a position the seconding of the Motion for the rejection of the Bill?" He would briefly explain, therefore, why he had taken this course. It was perfectly true that he professed no allegiance to the Leader of either party, but it was equally true that he did profess allegiance to the Constitution of his country in Church and State, and it was because he believed this measure would be the inauguration of a policy the ultimate effect of which would be the permanent separation of Church and State, and because he wished to express in the strongest possible way his dissent from the Bill of his right hon. Friend that he spoke to the "Whip" on that (the Opposition) side of the House, and intimated his willingness to second the Motion if no one else was particularly desirous of doing so. That was, simply, the explanation. [*Ironical cheers.*] He confessed he did not understand the meaning of those ironical cheers, because he could not think that by so doing he should in any way forfeit the position which he occupied in that House. He should not follow the hon. Gentleman (Mr. Holt) by entering into any details of the Bill in its bearing on the Protestants or Roman Catholics, because hon. Gentlemen had ably dissected the measure. Nor would he touch upon the question of endowments, which had been dealt with by the hon. Member for Richmond (Sir Roundell Palmer), whose speech still awaited an answer. He would not even discuss the abstract principle of a Church Establishment, the merit of which he was content to rest on the definition given by the hon. Gentleman (Mr. Holt). He was also content to rest the merit of an Establishment, as applied to Ireland especially, upon the well-known dictum of a well-known and most liberal State Churchman, who became a Free Churchman, Dr. Chalmers, who said that the Protestant Church in Ireland was the main element of Irish civilization. Not having spoken in these debates during this Session, he wished on the present occasion, if the House would bear with him, to take a general and wide view of the application of the Bill, not only to Ireland, but also to this country. He wished to discuss it on the grounds on which it had been brought forward — namely, expediency towards Ireland, and religious equality as regards Ireland — a principle which he should maintain was applicable likewise to the whole of the United Kingdom. The question of expediency admitted of two views. The Bill might be expedient as regards party, or it might be expedient as regards Ireland. He knew there were some mocking spirits who said this policy had been inaugurated not so much for the pacification of Ireland as for the pacification —might he say subjugation?—of the Liberal party, and that if the Conservatives had not raised the cry of "Level up" we should never, at least in these days, have heard from the opposite Benches the cry of "Level down." For his own part, however, he did not adopt the language which was uttered in such a mocking, cynical spirit. He was ready to give his right hon. Friend (the First Lord of the Treasury) credit for the motives which had led him to introduce the Bill. He attributed it, indeed, not to party purposes, but to the impulsive conviction of the Prime Minister. Not that the Bill was any safer from that circumstance. He held that the great danger which the country would be exposed to from the Leadership of his right hon. Friend was the impulsiveness of his conscientious convictions. He gave his right hon. Friend credit, therefore, for bringing in this Bill *boná fide* for the pacification of Ireland, and for bringing about what would be worthy of the supremest statesmanship — namely, the thorough binding together and reconciliation, if he might use the term, of this country and Ireland. If, incidentally, with this great and broad national policy, the Bill had had the effect of pacifying the Liberal party, no doubt his right hon. Friend did not regard that as an objection. Certainly it had had that effect in a very marked degree, because over the corpse of the Irish Protestant Church we had seen a reconciliation which two years ago would have been deemed impossible. Had they not seen the Member for Birmingham (the President of the Poor Law Board) walk into Downing Street followed by half, at any rate, of that historical Scotch terrier which was once very celebrated in that House —he meant by the right hon. Gentleman the Chancellor of the Exchequer. Did anyone doubt that if the other half of that historic animal had been in the House at the time it would with equal complacency have followed the right hon. Gentleman into Downing Street? He must, therefore, say that, so far as the Liberal party was concerned, the irreconcilable had been reconciled, and that so far, at all events, the measure must be admitted to be one of complete pacification. But now let him take the measure with respect to that which was its real object. How had it worked for the pacification of Ireland? His right hon. Friend the Chancellor of the Exchequer, in a speech which he had made at the commencement of the Session, described the Bill as being one which, though it might offend a faction, would conciliate a nation. Now, he would ask the House to test the measure by that standard. Did hon. Members observe in the political horizon of Ireland signs of that peace and conciliation which the Bill was intended to inaugurate? The commentary upon it as a measure of pacification was, he grieved to say, written weekly in letters of blood, which proclaimed in language which admitted of no mistake, that it was not the Church but the land question which was at the root of Irish discontent. That was what one section of the Roman Catholic population of Ireland said, and what was the language of another? It was practically to the effect that it was not Protestant but British ascendancy which lay at the bottom of the grievances of Ireland. Every occupant of the Treasury Bench knew that statement was correct. They knew that the causes of Irish discontent were the result of conquest, of the imperfect amalgamation of the two races, of the perennial agitation of Irish patriots, and of the perennial bidding of political parties in that House for the Irish Roman Catholic vote. He, for one, felt assured that if the Government, instead of coquetting with the land question and of liberating traitors, would speak out frankly on that question—he did not ask them, it would not be right to expect that they should positively state what their measure with respect to it was to be—and declare courageously what their policy was not to be in the face of the expectant people of Ireland, they would act much more wisely than by adopting the course which they were now following. They should have told the Irish people that their policy in reference to that country, whatever else it meant, did not mean fixity of tenure; that they were determined to suppress Fenianism, and to maintain as vigorously the Union of Ireland with England as the Americans had maintained the Union of the South with the North. Such language as that would, he contended, do more to pacify Ireland than the disestablishment of fifty Irish Churches. In support of that statement he could produce any number of documents, but he would not weary the House by reading more than one—a resolution passed by the Tenant Right Society of Meath, in 1865, and he believed that Dr. Nulty, the Roman Catholic Bishop of Meath, was the head of that Society. That resolution was as follows:—

> "The one great sole question for Ireland is the land question. All other questions, such as the disestablishment of the Irish Church, are got up for party purposes, and would but infuse an element of bigotry into the disturbed relations of landlord and tenant."

So much, then, for this Bill as a measure of conciliation and pacification in its relation to the Roman Catholics of Ireland. He, in the next place, came to its bearing upon the Protestants; for it must be recollected, though the Government seemed to forget it, that there was a nation of Protestants in Ireland as well as a nation of Roman Catholics. It was only necessary to have read the newspapers within the last few months, since the present Bill had been under discussion, to perceive that the Irish Protestants, hitherto a loyal and contented people, were likely to become disloyal. [*Ironical cheers.*] He would not use that word, but would say they were likely to become as discontented as the most discontented portion of the population of that country. What was the language which was now used by a part of the Protestants of Ireland? It was to the effect that they must set up another Cromwell to kick out the present Parliament, and that the result of the Bill would be to introduce into Ireland a chronic state of discontent. He saw that an Orange meeting was to be held in Dublin, at which one of the resolutions to be proposed was that the maintenance of the Union was no longer an article of their Protestant faith. [*Ironical cheers.*] He heard some Roman Catholic Members cheer, and he could quite understand why they did so; but he did not blame the Protestants for the course they were taking in connection with this subject any more than he blamed the Roman Catholics for attacking the Church. They must take human nature as they found it, and what was it that made Irish Protestants so discontented? They looked upon the Bill as a gross breach of faith on the part of the Government and Parliament—as a tearing up of the engagements which were entered into with them and their ancestors, who settled in Ireland on the security of that very Church property which was now about to be devoted to other purposes, and between the British and Irish Parliaments with reference to the maintenance of that Church. Whether, then, he looked to the Protestants or to the Roman Catholics of that country, he must regard the Bill as being, as a measure of pacification or conciliation, a complete failure in the present, and he doubted whether, unless it were accompanied by other measures, any Gentleman sitting on the Treasury Bench could deem it to be a measure of pacification in the future. He came, in the next place, to the principle of the Bill. The ground on which it was supported was, so far as he understood, the ground of justice and of religious equality. It might, perhaps, be said by its advocates—"Granted that as a measure of expediency it may be more or less a failure," but "*Fiat justitia ruat* *cœlum;*" or, in the words of the French maxim, "*Fais ce que dois, advienne que pourra.*" The House must, however, be pretty well aware in which way the Bill did justice to the Protestants of Ireland, and he would for a moment ask hon. Members to consider how far it did justice to the Roman Catholics. On what grounds were the Protestants to be deprived under the Bill of their Church lands? "Because," it was contended by its supporters, "those lands once belonged to the Roman Catholics." But if that was the foundation of the measure, would not justice naturally demand that the land should be transferred to the Roman Catholics from the Protestants? Did the Bill propose such a transfer? Far from it. The surplus arising from that source was practically to be given to the Protestant landlords of Ireland. "No," it might be said; "it is not to be given to the landlords, but to the tenants in occupation, by relieving them from rates for lunatic asylums and other charitable purposes." All those rates, however, fell practically on the land; and if the tenant were relieved from them the fact would be taken into consideration in the rent which he would have to pay, so that practically the Church lands would be given to the Protestant landlords. It was possible that in the Land Bill of the Government next year that grievance might be redressed; all he could say was that meantime the present measure of justice would consist in bringing about such a transference of the Church lands as he had mentioned. Then what, he would ask, was to be done with the churches? Were those symbols of establishment and signs of Protestant ascendancy in Ireland to be handed over to the Roman Catholics? Nothing of the kind. They were to be given up to the Protestants. Where, then, according to the principles of the Government themselves, was the justice of the Bill in dealing with these churches? What was the view which the Roman Catholics themselves took of the matter? He found from a document which he held in his hand that Dr. Goss, the Roman Catholic Bishop of Liverpool, in addressing recently a large congregation at Preston on the Irish Church question, said—

> "The Catholics of Ireland had been defrauded out of their rights, for the endowments their Church possessed previous to the Reformation ought to have been settled upon the Catholics of that country, and also the venerable buildings which Catholic piety had erected. They must bear in mind that these endowments were not left for the support of the ministers of Ireland but on condition that certain masses were said, a thing they all knew was not fulfilled at the present day."

The Bishop then proceeded to say that—

> "He was anxious there should be some record of what many would consider an instalment of justice; but, at the same time, he should be surprised if the Irish nation were really satisfied with what had been given by the present Government."

The fact was that upon this question all that had been done was to gratify the unchristian feeling of the Roman Catholics towards the Protestants by the spoliation of the Protestant Church, and if justice of any kind had been done it was the wild Irish justice of revenge. He was aware that the Bill proposed to establish a so-called religious equality between the Roman Catholics and the Protestants in Ireland, but was that purpose carried out by it? Ireland was governed by a Lord Lieutenant, and the law, as it stood at present, said that the individual holding that office must be a Protestant. But perhaps next Session, when this Bill was passed, it would be discovered that Protestant ascendancy was being maintained at the Castle in the person of the Lord Lieutenant, and a Bill would be brought in throwing open that office to a Roman Catholic. ["Hear, hear!"] That cheer showed that his assumption was correct, and he hoped that it would be fully understood by the Protestant people of this country. But Ireland was an integral part of this Empire, and he should wish to ascertain how far this desire for religious equality was to lead them. When they had established a so-called religious equality in Ireland, would not they be called upon to establish it throughout the whole Empire—to disestablish the Protestant Churches of England and of Scotland? He believed that hon. Members opposite were not at present in favour of the disestablishment of those Churches; but we travelled fast in these days—the schoolmaster was abroad, and the Conservatives were not the only persons who were undergoing education; the Whig party were being very rapidly educated by the most powerful schoolmaster in the Cabinet, who would, he was confident, obtain a first-class certificate from the junior Member for Bradford (Mr. Miall). If the party opposite were now asked by the Irish people to disestablish the Established Church of England and Ireland, they would say—"No, we cannot do that, because the majority of the people of England and of Scotland are Protestants, and therefore we are not at the present prepared to disestablish those Churches." But what would be the rejoinder of the Irish people to that reply? They would at once say—"Then establish the Roman Catholic Church in Ireland or else repeal the Union;" and as long as the Union was unrepealed that argument might be put forward with effect, and in order to get out of the dilemma they would be obliged to disestablish the Churches of England and Scotland. But not even then would they have established religious equality, so long as the Protestant Settlement of 1688 remained. If they desired to establish religious equality, they must be prepared to set aside that Settlement, or else what would become of the principle of religious equality? Of two things one must be the case—either the Government, who announced the principle of religious equality, did not mean what they said, or they meant a great deal more than they said—either they were humbugging the Roman Catholics, or else they were deceiving the Protestants. It was the right of the Protestant people of this country to demand from the Government a clear statement as to the lengths to which they were prepared to go in this matter. He was well aware what the answer of the Government would be. They would say—"This is all very well in theory and as a matter of abstract reasoning, but we are a practical people, and therefore we need have no fear of the consequences which you say are likely to result from our acts." He, however, ventured to think that the consequences he had pointed out as likely to result from the reasoning and from the position of the Government were not so impossible as many people appeared to imagine, or endeavoured to make themselves believe. Such people had read history wrongly, and did not look upon what was going on around them. What had been the language of the right hon. Gentleman the First Minister of the Crown upon this point during the late election? He had said that the great question of the Church of Ireland was but one of a group of questions, embracing the Church of Ireland, the land, and the education of the Irish people; that it was but one of many branches of a trunk—the trunk and the tree of Protestant ascendancy—an ascendancy which he looked to the Protestant people of this country to put down, and on which they were banded together to make war; and that, although this might be an instalment of the debt due to Ireland, the Irish people would not be worthy to be free if they were satisfied with a mere instalment, or if they were contented with anything less than justice. Therefore, according to the right hon. Gentleman's own statement, he and his friends were banded together to make war upon the Protestant ascendancy; and after such a trumpet blast from the right hon. Gentleman the Irish people would be wanting to themselves and their religion if they did not press this question further. Judging from their conduct in the past, it was not difficult to foresee what would be their conduct in the future. Let the House look at the conditions of the Union, at the terms entered into at the time of the Roman Catholic Emancipation Act, at the oaths taken at the table of that House that in no way should the Protestant Establishment be injured. Let them recollect how these conditions, these terms, and these oaths had been kept, and let them judge from the past how it was likely such promises would be kept in future. What they had already gained formed but a small portion of that bit-by-bit policy of encroachment by which, ever since the Reformation, the Roman Catholics had endeavoured, bit by bit and step by step, to gain back the ground they had then lost, and they looked to the complete acquiring of the lost ground, when, according to the words of Archbishop Manning, this Imperial English and Protestant race should have been entirely subjugated. It was under these circumstances that he asserted the present settlement would be disregarded as had been those of the past. But it might, perhaps, be said that no Roman Catholic would venture to attack the Act of Settlement. He had, however, a recollection of what had occurred during the last Session, when a Roman Catholic Gentleman who was now a Member of the Government (Sir Colman O'Loghlen), had given notice of a Motion with reference to the Coronation Oath which directly tended against the Act of Settlement, and to the effect of which he had called attention at the time. It was true the right hon. Gentleman had been comfortably muzzled. The right hon. Gentleman found himself comfortably seated on the Treasury Bench, whereby two things were gained —in the first place, Her Majesty's Government had silenced an indiscreet Friend, and, secondly, the Session had been shortened, according to the most careful calculation, by at least ten days. He mentioned this fact to show that the Act of Settlement might be assailed, not merely by a wild Irish Roman Catholic, but by one who was a Gentleman and a lawyer, who was well known to that House, and who had been thought worthy of a high and comfortable office in the Government. It might, however, be said that this was only the eccentric act of an over-zealous Roman Catholic, but that no practical person would think of endeavouring to attack the Act of Settlement. He would, however, call into court a witness whose evidence he did not think the right hon. Gentleman the First Minister would repudiate—he meant his noble Friend Lord William Hay, who opposed him at the last election, and who, had he got into Parliament, would doubtless have occupied a position in the Government. On the day of the declaration of the poll, Lord William Hay expressed his regret that the constituency of the county he (Lord Elcho) represented had declared itself against the Liberal party and in favour of a principle based upon the inviolable maintenance of the Settlement of 1688. Therefore, the idea of unsettling the Protestant Settlement of 1688 was not confined to a Roman Catholic lawyer, but was entertained by a Protestant, and, he believed, a Presbyterian gentleman, who was well known in that House. It might be reasonably assumed from his statement that the unsettling of that Settlement would form part of the policy of the Liberal party. It was true that the Government had not as yet put forward the setting aside of that Settlement as forming part of their policy, but let the House wait for a short time, and they would find that the education of the Liberal party would soon reach the desired point, and would enable the Government to declare their real views upon the question. Let them for a moment look at the causes which had brought about this Bill, and, as like causes were apt to produce like effects, let them see whether there was not a probability that, some day or another, the results which he had foreshadowed would be brought about. He admitted that the chief cause which had induced hon. Gentlemen opposite to support this Bill was the belief that they were supporting religious liberty. Between religious liberty and religious equality there was, in his opinion, a vast difference; but he gave hon. Members opposite credit for having acted under that belief. But what was the immediate cause of the Bill being carried? Why, it had been carried by the Irish vote, aided by the Scotch vote. The Irish vote, however, was mainly influenced by the present state of Ireland, and the Voluntary vote had been influenced by the position of parties in that House. No man could deny that the various parties in that House had always made a bid for Irish Roman Catholic votes. The Scotch Members, on the other hand, had voted in favour of the Bill, under the impression that they were thereby voting in favour of religious equality—not looking beyond or remembering that religious equality and religious liberty were not the same. But he believed that it was true that the people of England, if not in a majority against the Bill were equally divided against it, and that, therefore, the policy of a population of 20,000,000 had been dictated by a population of 5,000,000 Irish and 3,000,000 Scotch; so that in the main there were 20,000,000 people neutralized by 8,000,000; and if the Irish vote had been necessary in the past, did they not think that circumstances might again arise in which the Roman Catholic vote might be necessary in the future? Practically, the policy of the Government was now directed by the Voluntary element on that side of the House. There was a time when those who sat opposite were divided into two distinct parties, above and below the Gangway. The Whigs above the Gangway formed one party, and those below it another. Both had a policy, but the Whigs had a policy especially upon questions connected with land and the Church which was entirely distinct from the other. Now, however, that policy was merged in what was called the general Liberal policy. It was true there were some distinguished Whigs figuring in the Government, but they were only the figure-heads of the ship; and the position of the Whig party on this question was aptly illustrated by an accident which happened to the Channel Squadron in a cruize last autumn. It so happened that in some manner the *Warrior* ran into the *Royal Oak*, and the figure-head of the *Warrior* fell on the deck of the *Royal Oak*. In spite of that, the *Warrior* went on, and it was with the greatest difficulty the *Royal Oak* was saved from being cut in two. Applying this incident to the Whig party, they were the figure-head of the ship, and the First Lord of the Treasury, no doubt, commanded the quarter-deck with a most powerful and eloquent trumpet. But these were the days of steam, and the progress of a ship depended on the engine-room. And who commanded there? Why, the right hon. Gentleman the Member for Birmingham. He said advisedly that the Whigs had a policy, especially on Church questions, and that it was not the policy of the right hon. Member for Birmingham (the President of the Board of Trade), or of the Voluntaries headed by the junior Member for Bradford. He heard an Irish Gentleman, the hon. Member for Waterford (Mr. Delahunty), say this Session that the absence of a Currency Bill in Ireland, similar to that of England, was the arrow that had pierced the heart of Ireland. He considered that at the time to be a remarkable and rather figurative expression, and, without being quite as figurative as the hon. Member, he would say that this Bill was the sacrificial implement with which, as a party, and with a special policy of their own, the aristocratic Whigs had performed the aristocratic Japanese operation of the *hari karu*. The last excuse for this Bill was the exigency of party, which, it was said, had brought about this state of things. Now, party had been defined to be "the madness of the many for the gain of the few." He would rather call it the bird-call for the benefit of a few fowlers. His right hon. Friend the First Lord of the Treasury fought better as a bird-caller than any man who had filled Office in that House. He had piped to unwary Whig birds, and they had flown into the net of which Archbishop Cullen and the right hon. Member for Birmingham held the string; and he looked upon the result of this policy as being as certain to lead, sooner or later, to the total disruption of the connection between Church and State, not only in Ireland, but in England, Scotland and Wales, as that they were new discussing the third reading of this Bill. He did not see where the element of resistance was to come from. This Bill would surely pass the third reading, and the probability was that it would soon become law. If the Constitution of this country were as Conservative as that of America, perhaps they might hope to see some resistance. What was the Constitution of America? No constitutional question could pass the House of Representatives unless it was carried by a majority of two-thirds. It could not then pass without coming before the Senate, which had the power of rejection, and had as great an authority, if not greater, than the House of Representatives; and although the power of the President had been greatly lessened, he still exercised considerable power in such matters. But what was the state of things here? A majority of 1 could carry a measure of great constitutional change through this House. By the writings of the Press, and the language used both in and out-of-doors, it was now an assumed thing that the Upper House, which was supposed, originally, to be a check upon the proceeding of the House of Commons, was simply to register the decrees of that House. And what was the Assent of the Sovereign? It was now little more than the casting vote of the Minister. At the present moment it had little check or control over the proceedings of that House, and therefore they might reasonably expect that this Bill would become law. But they might be told there was comfort in store, and that the Protestants in Ireland would benefit by the change. That view of Protestantism, gaining by loosing the props on which the Irish Church rested, and by its becoming a missionary Church, reminded him of the way in which a noble Marquess, when he sat in that House, proposed to deal with the offence of cruelty to animals. A Bill was brought in by which it was proposed to put a stop to it; and one clause provided that if two dogs were found fighting, the way to prevent cruelty to animals was to put both to death. It was much after that fashion that the Irish Church was to be benefited by the Bill of the right hon. Gentleman. It was said that civil and religious liberty would be increased by this Bill, but he did not believe that religious liberty and religious equality were one and the same. His firm belief was that the best security for religious liberty and toleration in every way was the Protestant Settlement under which this country had so long flourished. It might be said, look to America, to France, to Italy, and to Spain, and it might be asserted that the Roman Catholic religion did not change, but that the Roman Catholic people did. He denied the analogy altogether. What was the state of things in America? That was a country with no history, no traditions, and with no association of a Church such as existed in Ireland. A friend of his, who was travelling in America about two years since, met the head of the Jesuits, and asked whether it was true that the Roman Catholics on landing in that country threw off, in a great measure, their allegiance to the priesthood. He replied that it was perfectly true. He was asked how he accounted for it, and he said that when they landed in America they found themselves in company with the Freethinkers of America, and the Atheists from Germany, and thus they, by degrees, threw off their allegiance to the priesthood. If they looked to Spain and France they would find a perfectly different state of things from that which they were going to establish in Ireland. In those countries there was a connection between the Roman Catholic Church and the State, and a certain control was exercised over the priesthood similar to that which existed in this country so long as an Establishment was maintained. But in Ireland, by this Bill, they were about to establish a state of things which was unparalleled in Europe. They were practically going to set up the Irish Roman Catholic Church on the ruins of the Protestant Establishment, and on what plea? On the plea of religious liberty. He resisted the proposal on this very ground. He hoped he was no bigot. He honoured the motives of the right hon. Gentleman at the head of the Government and his Colleagues, because they believed they were furthering the great cause of religious liberty by supporting this Bill. He trusted that since he had had the honour of a seat in that House he had shown no religious intolerance. He had stood upon the hustings almost alone among Scotch Members, in defending a course which he thought to be just to his Roman Catholic countrymen. But, as he did not believe that this was a real measure of religious liberty, he was not prepared to follow the right hon. Gentleman at the head of the Government. And it was on this account that, if he had a hundred tongues he should, in the name of that religious liberty, a hundred times say "No" to the third reading of this Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Holt.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. CARDWELL: Sir, no doubt it is quite open to those who question the justice and policy of this measure to challenge another division of the House upon the final stage of the Bill; and it is for us cheerfully to accept that challenge, in the confident assurance that the House, by an undiminished majority, will on this occasion record the sincerity of its views and earnestness of its convictions. It is necessary that some arguments should be offered by the supporters of the Bill in answer to the Amendment now made; but it is very difficult to persuade oneself that the debate is earnest or that the argument is real. I am sure that I speak the opinion of the House when I say in regard to my noble Friend (Lord Elcho) that they listened with far greater pleasure to those portions of his speech in which he spoke to us of the mode in which the aristocracy are disposed of in Japan, of the conflict which occurred between the *Royal Oak* and the *Warrior*, of the general state of religion in Germany and the United States of America, of the Act of Parliament in relation to the currency which had pierced the heart of Ireland, of the bird-call which, he said, was of peculiarly interesting trill, of the way in which a noble Marquess used to handle the subject of cruelty to animals; but that which gave them the greatest pleasure was the passage in which his noble Friend described how the Conservative Reform Bill had so far out-Americanized the institutions of this country that we wanted a Conservative element to resist this revolutionary measure, and that the House of Commons, elected as it had been, ought not to carry so much weight as, I hope, it will in the deliberations of "another place." I think the House listened with far greater pleasure to these arguments of my noble Friend than to the very limited part of his speech which had any very serious bearing on the subject we have now under discussion. Is it possible that the question should really be debated as a serious question after all that has passed in the former Parliament and after the reference made on the subject to the constituencies? My noble Friend says that this measure has been so far carried by the Irish vote with—and this is a statement that came rather ill from a Scotch Member—the Scotch vote thrown in by way of make-weight. Can my noble Friend inform us what part of the kingdom did not by a large and decided majority declare in favour of this policy of the present Government? If there was any proof more signal than that which the dissolution afforded it was the step, highly opportune, wise, and patriotic, but the most marked men could take—the recognition by the late Government of the verdict passed and their acceptance of it by their retirement from Office. After all that has occurred during the late Parliament and this Session, I ask is it not almost unworthy occupation of the time of the House to contend against the further progress of a measure which has received so emphatically the approval of the House? I shall certainly not enter at any length into argument on the subject. But having taken a share in the government of Ireland, I own I am desirous in a few short phrases to express, by more than a silent vote, the sincere, the strong conviction I feel, that this measure, as a measure of justice and equality, tends to cement Ireland to this part of the United Kingdom, and to strengthen and confirm the power of England among the nations of the world. My noble Friend said, when you go to Ireland you find not one people but two peoples. That is at the root of all our difficulties in governing Ireland; and this measure is framed to meet that difficulty. Most of us are old enough to remember the sensation caused by an eloquent speech made by the late Lord Lyndhurst in "another place," in which he described the Roman Catholic portion of our fellow-subjects in Ireland as "aliens in blood, aliens in language, and aliens in religion." That expression raised great controversy at the time, and gave great offence. That was not a prudent expression. There was no intention to terminate that state of estrangement, and it is not prudent to tell a people they are aliens if we mean to keep them so. If ever they were aliens it was because you treated them as aliens, and they will, in a sense, be aliens so long as you continue to treat them as aliens. You will never overcome their estrangement unless you lay broad and deep in Ireland the foundations of a policy of equality and justice. The great difference between the Government of England and Scotland, on the one hand, and that of Ireland on the other, is this—you have the same framework of institutions, but you find their operation totally different. Why? Because you cannot induce the people of Ireland to work together as the people in England and Scotland do, in maintaining those local institutions which constitute the life and liberty of the Government. And why? Trace it to its bitter root and you will find ascendancy at the bottom of it. Until you get rid of ascendancy you have not taken the first effective step to the good government and prosperity of Ireland. It is possible to reconcile an alienated people. After 1745, Scotland was more alienated than Ireland has ever been in our time. Why did Scotland become one of the most peaceful, one of the most prosperous, one of the most loyal portions of the United Kingdom? Because you ceased to treat the Scotch as aliens. It was the boast of Lord Chatham that he brought about that change, when he enlisted the Scotch Highlanders in the regiments of the Hanoverian King. At the very time when Lord Lyndhurst used the celebrated expression to which I have referred, Canada was far more alienated from us than ever Ireland has been in our time, and it is not long since she was in open war against us. Why has Canada become loyal, well-affected, and attached to English institutions? Because you have dealt with Canada on the principles of equality and justice—because you have enabled her to do for herself that very thing you are now going to do by this Bill for Ireland. You talk of the present state of things as cementing the Union between the two countries, and of this measure as likely to break down that Union. Let me ask you, if Ireland were a colony, could you resist such a measure as this? Is it not certain that the first act of an independent colony would be to pass for itself such a measure as this united Parliament is going to pass for Ireland? Well, if in every colony you possess you permit an independent colony to legislate for itself, how long can you expect Ireland to be attached to union with you if she finds that she alone of all your dominions is prevented from attaining equality and justice? Show her by this Bill that to maintain the Union is to carry into effect the laws of equality and justice that prevail in all other parts of your dominions, and then you will find the Irish as much attached to union as England and Scotland. We have heard to-night very great vaticinations of the evils that are to follow the adoption of this measure. Permit me to appeal from an English Gentleman (Mr. Holt), and a Scotch Nobleman (Lord Elcho), to two Friends of mine, who appear to me to know more of this subject from experience—I will not say than the two to whom I have referred, but than almost anybody I know. They are Friends of the noble Lord as well as my own. He knows them intimately. I speak of the present Governor General of Canada and of the late Governor General of Canada; both are Irishmen, both earnest Protestants, both zealous friends of the Protestant Church in Ireland in what they believe to be its essential character. One has had the opportunity of learning by experience in Canada what is the state of the disestablished Church of Canada, and what the progress, the prosperity, and the contentment of the people it has brought with it. I refer to Lord Monck. You know his sentiments, and you have with universal assent appointed him to be the First Commissioner under this Bill. But there is the still stronger case of the present Governor General of Canada (Sir John Young). My noble Friend and I used to sit beside him long ago in this House. He entered this House as a Conservative Member for the county of Cavan in the Province of Ulster. He was Chief Secretary for Ireland under Lord Aberdeen's Government. As Chief Secretary he saw the operation of the law by which the Established Church of Ireland is now governed. In New South Wales, he saw results similar to those which may be expected in Ireland when you pass this Bill. And what had he said? He has written to me—

> "The statesmen who seek to calm the Irish mind and put an end to the necessity for coercive measures in Ireland by doing all that legislation can do to enforce complete religious equality, and ensure fair dealing between man and man, seem to me to tend towards the righteous high ideal of Him
>
> "'Who held it more humane, more heavenly, first
> By winning words to conquer willing hearts;
> And make persuasion do the work of fear.'"

I am happy to be able to cite the opinions of two such distinguished Members of the Irish Protestant Church in support of the views I entertain; and I assert, without fear, that when you pass this Bill you will take the greatest step ever taken in our time to improve the condition of Ireland. The hon. Gentleman who moved the Amendment (Mr. Holt) referred to the Free Church in Scotland. My figures do not agree with those of the hon. Gentleman. This, I know—it cannot be denied that the Free Church in Scotland has built nearly 1,000 churches, and in twenty-five years has raised £8,000,000. The people who compose that Church are not the wealthy nor the powerful, for the land of Scotland is in the hands of the Episcopalians, and, with regard to the wealthy traders, many of them remained with the Established Church in Scotland; and yet the portion of the people who compose the Free Church have done these things within the last twenty-five years. Is it, then, possible to suppose that the now Established Church in Ireland, carrying with it, when disestablished, the vested interests of a whole generation and all the churches, will not exhibit similar evidence of energy and vitality? The Seconder of the Motion, however, *ipsis Hibernis Hibernior*, attacks us from the other flank, and complains of our giving the churches to the Church, and the reversion of the tithes to the landlords. So zealous is he in the cause of the Roman Catholics that he complains we have not done justice to them, though in the peroration of his speech he said that we are going to establish the Roman Catholic Church on the ruins of the Established Church of Ireland. [Lord Elcho: Practically.] We are not going to give any endowment to the Roman Catholic Church. I do not know what my noble Friend means by the word "practically"—he appears to use it in a very liberal sense—but it appears to me that in giving to the disestablished Church the means of free government we have opened to it the prospect of great power and usefulness. I hope that my anticipations will turn out more true than those of the noble Lord; but, at any rate, I know that if there is any "weighting" in this race it is in favour of the present Established Church, which carries with it vested interests for a whole generation, and the whole of its churches, and which has among its members thirteen-fourteenths—as I think I have heard Mr. Whiteside state in this House—of the landed proprietors, and the greater part of the wealthy traders and educated gentlemen of Ireland. I sincerely believe that when this measure shall have borne its fruits, and when the evils generated by a system of religious inequality have been removed, the position of the Church in Ireland will be improved and not deteriorated; and that, not only the Church, but the people would look upon it as a just and beneficent measure. The declaration of Roman Catholic nobleman and gentlemen laid on the table of the House last year, in which they claimed as their right perfect religious equality in Ireland, and stated that there never would be respect for law, nor prosperity in that country until that religious liberty was established, is the language of men worthy to bear a share in a free Government and take a part in free institutions, and it cannot be disregarded. They are entitled to expect and demand that religious equality, while we were not entitled to refuse it; and unless we concede it we neglect to take the first great step in the solid good government of Ireland. You may be as liberal as you please to Ireland out of the Consolidated Fund; you may do what you like in the way of gifts; but that is not the way to get at the heart of a people. Perpetually giving is a perpetual assertion of superiority on our part, and creates a perpetual notion of inferiority on theirs. What they demand and what we desire to concede, is perfect equality. We want to include them within the frame-work of those free institutions under which it is our happiness to live, and we believe that by so doing we shall increase the prosperity of Ireland, making that country a source, not of weakness, but of strength to the United Kingdom; and that we shall earn for this country a higher place than we now hold in the opinions of the civilized world.

SIR FREDERICK W. HEYGATE said, the right hon. Gentleman (the Secretary of State for War) complained that there was no reality in this discussion, and that the question was substantially settled. But he could assure him that there was reality in the discussion, and that it was only now that the people in the part of the country where he lived were beginning to appreciate the reality of the great change that was awaiting them. With respect to the appeal that had been made to the country, he differed from the right hon. Gentleman on this ground, that though an appeal was made to the country it was not upon the measure now before the House, but on the general question that the subject should be taken up and considered. He believed that, with the exception of a few confidants of the right hon. Gentleman (the First Lord of the Treasury), no one had any idea of the sweeping nature of the measure that had been brought in. He would not have ventured to trouble the House again, but he thought this was a good opportunity to take a short review of the consequences and probable working of the Bill. He gave the right hon. Gentleman credit for intending, in bringing forward this Bill, to benefit not only the general interests of the country, but also the Church of which the right hon. Gentleman was a member. But what were the supposed advantages of this Bill? Several were enumerated. One was that the churches were to be given up; another was in reference to glebes. He regarded that provision as a mistake, inasmuch as it had a tendency to produce a want of religious equality, while the professed object of the Bill was to establish religious equality. The fifty-two years' arrangement was represented as a great boon to landed proprietors; but the advantage, such as it was, was not likely to arise in the lifetime of the present owners, probably not even in that of their sons, and would, therefore, only be of value to their grandsons. Tithe rent-charge was hardly ever sold in the Incumbered Estates Court for more than sixteen years' purchase, or at a rate paying more than 6 per cent. Bearing in mind that the whole of the tithe rent-charge might be said to be brought into the market at once, and that English tithe rent-charge was sold at a rate which produced 4 or 4½ per cent, 6 per cent was a very fair standard to adopt in Ireland. On referring to the tables to ascertain the present value of a deferred annuity to commence after fifty-two years, he found that the present value of that supposed advantage was only three-quarters of a year's purchase; that was to say, the present value of £100 a year, payable fifty-two years hence, would be represented by a lump sum of £75. No doubt the life interests of the clergy were fully preserved. He was very glad that was done, but he thought it was extremely unfair that the laity should be taunted with the insinuation that a large portion of Church property was retained for their advantage. Again, supposing the Church Body to be called into existence on the passing of the Bill—which he thought very doubtful—what prospect existed of their being able to make good to the Church the revenues of which she had been deprived? Those to whom the Church Body would have to appeal he divided into three classes. First, there were the indifferent, to whom it mattered little whether the Bill passed, or what became of the Church. Next, there were the persons living in Ireland part of the year, and feeling a deep interest in the country; when applied to by the Church Body they would naturally reply that before binding themselves by any undertaking they would feel it necessary, with the expectations which were held out about the land question and all other questions, to understand how they actually stood, how far the management of property was likely to be taken out of their hands, and whether it would be possible for them to remain in the country. The Church Body, consequently, would get no answer from them. There remained the class of smaller country gentlemen resident in Ireland, whose circumstances and convictions sometimes exposed them to obloquy, and in some cases to danger. These, however desirous to join and to support the Church Body, would say, and with better reason than the former class, that till they understood what their position was to be in the country in consequence of the changes that were going on or threatened, they would make no promises whatever. Hence, from no section of Irish Churchmen could the Church Body, assuming it to be formed, meet with a response enabling them to carry on in a hopeful spirit the ministrations to which they were accustomed. The Bill was accompanied professedly with certain concessions and advantages; but the circumstances attendant upon its passing, and the doubts and fears which had been excited, were calculated, he believed, to inflict the greatest injury upon Irish Protestants. It was impossible, he was well aware, for the Government to carry two great measures relating to Ireland in the same Session; but it was clearly in the power of the First Minister of the Crown to announce the principles upon which he intended to act. The First Minister himself had shown that this was possible; for last year when he introduced his Resolutions upon the Church question, he let the House know the principles upon which he intended to act, and, having carried these Resolutions by a large majority, he followed them up in the succeeding year by legislation consistent with the principles embodied in those Resolutions. It was only just and fair, then, to all sections of the Irish people, that, with a view to the future prosperity of the country, the right hon. Gentleman should speak out his policy and the principles on which he intended to act, and not continue the existing state of uncertainty and alarm. To hon. Members sitting in the House of Commons Ministerial declarations upon these points might appear matters of comparatively small importance, but it was upon the state of feeling existing in Ireland that the future prosperity of the Bill altogether depended. He was perfectly sure that all the complicated provisions which the Bill contained would never work; he doubted whether the Church Body would ever be formed at all, but if formed it would be so occupied and distracted by differences of opinion honestly entertained that it would never be able to make any progress. The power to make purchases given to the Church Body were only so many inducements to them to burden themselves with property which their future position would never justify. He believed it would have been better if all these so-called advantages had been capitalized and the sum of money so arising handed over to all the religious bodies having a proper claim to it. In that case some arrangement that would work might possibly have been carried out. The Presbyterians in the North of Ireland had as strong a claim to their endowment as the Church. He congratulated the right hon. Gentleman at the head of the Government upon the statement made by him the other night in answer to the hon. Member for Salford (Mr. Charley), that he had no intention of making any change in the system of national education. That single statement would give satisfaction to vast numbers of persons, especially in the North of Ireland; and if upon other subjects the right hon. Gentleman would be equally outspoken as to the intentions of the Government he would confer a great benefit upon Ireland. The intelligent minority of Presbyterians in Ireland upon whose support the right hon. Gentleman had so strongly relied in former debates, had been strangely silent of late. On the other hand, the reports in the public prints—if he would only consult them—would show the right hon. Gentleman that Protestants of all denominations having just wakened up to the position in which they would find themselves on the passing of the Bill, and to the irremediable misfortunes which would be entailed by it upon the country, were beginning at last to appreciate the true nature of the Government proposals. And how were the indignant protests of men to be measured, with whose forefathers a deliberate contract had been made, and who had done nothing to forfeit their title to the endowments? Of the right hon. Gentlemen sitting on the Treasury Bench opposite, the great majority were returned by large town constituencies, where the voluntary principle might be attended with success, but where the most wonderful ignorance prevailed as to the circumstances and the wants of rural districts. How many of the right hon. Gentlemen opposite were owners of Irish estates? And of the few who might be in that position how many had resided six or even three months continuously in that country? Their ideas of Ireland were probably derived from a tour though the districts usually visited in the South and West of Ireland, but it had taken him many years to arrive at anything like a true understanding of the real circumstances and feelings of Ireland. From first to last he had protested against the Bill. He was certain that it must lead to a serious reflection and question as to the advantages supposed to be gained by the connection with England, so long as Irish affairs were always discussed less with a view to the true interests of that country than their bearing upon party questions. The future working of the Bill, if passed, would disappoint every person in this country, and embitter the existing relations in Ireland between persons of various creeds and classes. In time to come it would be looked back upon as the greatest mistake ever committed by a Liberal Government.

MR. W. S. ALLEN said, after a debate on the second reading of this Bill, which lasted four nights, and a division, in which the principle of the Bill was affirmed by a majority of 118 in a House of 625 Members, and after a discussion on the various clauses of this Bill in Committee, which lasted over five weeks, during which numerous divisions took place, with majorities in favour of the Bill on each occasion, varying from 86 to 123, we are again asked to reject the Bill, on the third reading. I need hardly say, that as far as this House is concerned, that request will be made in vain. But the most extraordinary statement which has been made in the course of the debates which have taken place, is, that last autumn the country was taken by surprise, and that another opportunity ought to be afforded it of expressing its opinion upon the subject. A more extraordinary statement than this was never made, for it is well known that for six months before the last General Election, the question of the Irish Church was brought prominently before the public. Every candidate made it the grand topic of his election addresses, and it is absurd to say the people of this country did not know what they were doing when they gave their votes at the polling booths. I admit that the actual Bill, as at present drawn, was not before the public, but the main principles of it, as shadowed forth by the present Prime Minister, in his Resolutions and in his speeches, unquestionably were, and I think the debates which have taken place during the present Session in this House have conclusively shown that there are not twenty men in the House of Commons who really and honestly believe that the present ecclesiastical arrangements in Ireland can continue any longer; but that in some way or other, the old policy of religious ascendancy must be done away with, and an approximation at least to religious equality must be substituted for it, and that can only be done in one of two ways, either by the plan favoured by hon. Gentlemen opposite, of raising other Churches to the level of the Irish Protestant Church, or by bringing down the Irish Church to their level. We must choose between levelling up and levelling down, and the verdict of the country last autumn was decisive on this point, when it sent a majority of 120 to support the scheme of the present Prime Minister. But to my mind, one of the most remarkable things in the course of the debates this year has been the persistent manner in which the Conservative party has attempted to ignore the fact, that the Irish Church is a real and substantial grievance to more than 4,000,000 of the Irish people, and indeed the bulk of the Irish people have very clearly shown that they do consider it a grievance, because in every Irish county and borough in which the Roman Catholic electors were in a majority, and were able to vote as they liked, they sent representatives to this House, who were pledged to its disestablishment and disendowment. And I may also appeal to the fact that the Irish Roman Catholic voters in the different English constituencies almost to a man voted for the Liberal candidates, and in my own borough, about 326 Irish Roman Catholic voters out of 340 voted for the candidates who were pledged to support the policy of the present Prime Minister —a conclusive proof of the strong feeling they entertained on the question. In the course of this debate, we have been told frequently of the wealth and respectability of the Irish Churchmen, and have been reminded of the fact that they own more than seven-eighths of the land in Ireland. Well, Sir, we admit the fact, and from that fact we draw the conclusion that they are quite able to support their Church when its endowments are taken away, and if they do not, it will be a great disgrace to them. And the thing that has surprised me most in the course of these debates has been the great timidity shown by Churchmen on the opposite side of the House, and the fears they express that, after the passing of this Bill, the Irish Church will cease to exist, and Irish Churchmen become extinct. The hon. Member for Armagh (Mr. Vance), a great authority on this question, has told us, that "there will be an end of the Episcopal Church," and other hon. Gentlemen have spoken to the same effect. For my part, I believe that its connection with the State has been the great bane of the Irish Church, because it is an admitted fact—admitted by the Bishop of Oxford in his speech last year—that many of the Prelates, who, in former years, were sent over from this country to govern the Irish Church, were men of such character as made them a source of weakness instead of strength to that Church, and my firm conviction is that disestablishment and disendowment will be the greatest benefit which could be conferred on the Irish Church, because they will teach it to depend on its own exertions for success, and will give it the benefit and privilege of free and unfettered action. It has been objected to this Bill that it will be the first step to a similar proposal with respect to the English Church. That I deny altogether; the condition of the two Churches is so different, that no argument for the disestablishment and disendowment of the one can be logically drawn from the disestablishment and disendowment of the other, and in reference to this, I would quote the words of the Earl of Carnarvon, uttered last year. He is a "Churchman of Churchmen," and he said—

> "If there is one single act which I should be prepared to condemn more strongly than another it is the course which they have taken of binding up by every possible tie the fortunes of the English and Irish Churches. There is no sort of analogy between the circumstances and condition of these two Churches."

In those sentiments I most thoroughly concur, and I believe the Church of England has no foes so deadly and no friends so foolish as those who attempt to link its fortunes with those of the Irish Church. Then, Sir, great objections were raised against this Bill in Committee, because of the amount of compensation it gives to the College of Maynooth, which the opponents of this Bill assert to be excessive, and because it gives that compensation from the funds of the disendowed Irish Protestant Church. With respect to the amount of the compensation being excessive, my own opinion is that it is just and fair, because we must remember that the Maynooth Grant though nominally an annual grant, was in reality, for all practical purposes, a permanent grant. Hon. Members opposite may doubt this; but fortunately, I hold in my hand a report of a speech, made in this House on the 16th of April, 1845, in the debate which took place on the occasion of the increase of the Maynooth Grant by Sir Robert Peel, the noble Lord the Member for North Leicestershire (Lord John Manners), and these are his words—

> With every feeling then of confidence that as a Churchman I am not acting disloyally towards the Church in sanctioning this measure, and, as a statesman, that I am promoting the best interests of my country. I give my vote for this Bill of permanent endowment to the College of Maynooth."—[3 *Hansard*, lxxix. 830.]

These are the words of a noble Lord who was a Cabinet Minister in the late Government, and I quote them as my authority for stating to hon. Gentlemen opposite that the Maynooth Grant was, to all intents and purposes, a permanent grant, and regarding it as such, I maintain that the compensation this Bill proposes to give is not excessive. There is one part of this Bill which has not been much alluded to; which I regard with special favour, and that is, that after the passing of this Bill, the Irish Bishops will be relieved from the task of sitting in the House of Lords. We have it, on very high authority, that no man can serve two masters, a truth which no doubt applies to Bishops as well as to the rest of the human race, and, therefore, I am glad that for the future those eminent men will be able to devote their whole time to the spiritual supervision of their dioceses, instead of attempting the arduous task of ruling their clergy at home and devoting their attention to affairs of State in the House of Lords. But, Sir, we have been told that this measure will not pacify the Irish people. I should be very much suprised if it did. We might as well expect a patient, who had been suffering for many years from a course of wrong treatment, to have his health restored by a single dose of physic. But though it may not pacify the Irish people, it will at any rate show them that the Imperial Parliament is determined to do what is just and right to Ireland, and has set itself honestly and earnestly to the task of redressing those grievances of which the Irish people justly complain.

MR. ADDERLEY said, that great stress had been laid by hon. Gentlemen opposite on the allegation that a verdict in favour of this Bill had been pronounced at the late election from all parts of England, from Ireland, and from Scotland. The Secretary of State for War had even told them that night, that after such an expression of opinion, it was absolutely wasting the time of the House to continue to obstruct the progress of the Bill. It seemed to be thought that hon. Gentlemen were pledged upon the hustings to this measure, and had come here, as some wished all to come, merely as counters in a division. But he maintained that hon. Gentlemen did not, and could not, give, in November last, any pledge binding them to the character or details of this Bill, which was not then in existence. All that they could be pledged to were the abstract Resolutions submitted to the last Parliament. Yet they had seen this Bill carried through Committee almost without Amendment; for whenever one was suggested, on either side of the House, whether by an opponent of the right hon. Gentleman the First Minister or by one of his most ardent supporters, the objection was immediately made that any such Amendment was a violation of an understanding, and a mere obstruction to the progress of an inevitable measure. The majority in the House had treated the Bill from first to last as though it were a foregone conclusion, and had shown themselves impervious and even wholly inaccessible to argument. The Bill was now just about to pass out of their hands to "another place," where he hoped that some of its evils, at least, might be mitigated. But it was highly important that at this juncture there should be a final expression of the opinions entertained by so many hon. Gentlemen as to the character and consequences of the measure so thrust upon them. The Secretary of State for War had declared that this was a Bill for the establishment of religious equality, but it seemed to him nothing more nor less than a deadly blow at all Church Establishments. During the course of the debate the Irish Church had been held up as a nuisance, and a sort of pest to the country, with such an infinite degree of vindictive animosity and hatred, as showed that the Bill was the genuine triumph of those who were the avowed enemies of all Church Establishments in all places and under all circumstances. The Irish Church was to be stripped of her property, and the *cy près* claimants declared to be the lunatics and idiots of the country. The President of the Board of Trade, with what seemed to be almost a sneer—though it was not intended as such—justified this forfeiture of Church property to asylums by declaring that mercy was akin to religion; but he (Mr. Adderley) denied that mercy was to be fed by the alienated sustenance of religion or alms to be acceptably taken out of plunder. He did not think the Bill could commend itself to the real sentiments of the right hon. Gentleman's heart or to the logical demands of his reason. They knew from the apology published by the right hon. Gentleman that nothing short of absolute necessity had driven him from the opinions on this subject which he formerly held; he could not willingly unchurch the State; and as to the logical merits of the Bill he must say that, in the course of a now not inconsiderable Parliamentary experience, he could not recollect any Bill so illogical as this, except the right hon. Gentleman's other Bill for the Abolition of Church Rates, which enacted that because some places did not desire or have church rates, others which did desire should not have them. The measure was described as an act of justice, and as a means of pacification to Ireland. But what justice was there in simple destruction? What pacification in the simple ejection of one of the claimants. This was a policy only calculated to revive old controversies and to occasion fresh ones? Justice, as he understood it, involved something like a consideration of the case on both sides, an adjustment of conflicting claims; and a pacification might, perhaps, follow upon a settlement in which both sides would feel they had obtained, if not all they desired, yet as much as they could reasonably expect in mutual arrangement. Were the Protestants — or, indeed, the Roman Catholics—of Ireland likely to be animated by any such feeling under the operation of this Bill? Its theory—if it had one —was this—that the religious endowments of a nation ought to belong to the majority of that nation; and that the Roman Catholics were the majority in Ireland. The logical conclusion was, that the endowments of the Irish Protestants ought to be handed over to their more numerous Roman Catholic countrymen; that Protestant ascendancy should be destroyed in order to erect Roman Catholic ascendancy in its place. But the right hon. Gentleman at the head of the Government shrank from that conclusion, and, in its stead, he took the conclusion of the President of the Board of Trade, drawn from a totally different set of premises—which he equally shrunk from avowing—that all Church Establishments were execrable, and ought to be abolished. As the Bill stood the syllogism it involved was this—that whereas the majority of Irishmen are Roman Catholics, and the Protestant minority are in the possession of endowments which ought to belong to the majority, therefore, all material provision for religion in that country ought henceforth to cease. We were asked to take the Premier's premises, and his Colleague's wholly irrelevant conclusion, and accept them together, and that only because the one dare not avow his conclusion nor the other his premises. And if the logic of the Bill was bad, its consequences were likely to be much worse. He believed that some of the hon. Members who supported this Bill on "voluntary" principles were sincerely desirous of promoting the cause of religion. He asked them to reflect whether they were likely to further the object they had in view by voting for this measure. Might they not in their eagerness to take this opportunity of destroying a Church Establishment be injuring altogether the interests of religion by denuding a third of the kingdom of all its provision? It was meant to pacify Ireland, and the Church was represented as one of the obstacles to that most desirable result. He believed that it was nothing of the kind. The legislation of the last thirty years, by such measures as the Tithes Commutation Act, the Church had been put out of view, and hidden behind the question of the land; but those who had helped to place that screen before her were now among the first to pull it down, and to expose her to renewed assaults. They were, however, forced to rake up the old Penal Laws to re-establish irritation, and revive old feuds. Had this Irish Church Bill done anything in the way of pacification? There were more outrages being committed in Ireland this year than had been committed in any other year for a long time past; and, though few hon. Members had desired to connect those outrages with this measure, he avowed his belief that they were not to be disconnected from some of the language used by Members of the Cabinet. Only recently the right hon. Gentleman the President of the Board of Trade, when violently attacked and therefore on his guard, used in that House words to this effect—

> "I never held a landlord up to odium; I never held the landlords as a body up to odium; but I said, and do say, that the people of Ireland never will be satisfied till they have more possession of the land."

[Mr. BRIGHT was understood to intimate his dissent from the accuracy of the right hon. Gentleman's quotation.] He knew what the President of the Board of Trade meant by those words. He knew the right hon. Gentleman meant that what he said was necessary for the Irish people should be brought about by legitimate means; but a Minister of the Crown was never justified in using language without considering how it might be understood by others. Would the people of Ireland take that limited view of the means by which they were to get possession of the land which, no doubt, the right hon. Gentleman meant? From the first the language used by Ministers in connection with the Irish Church Bill had been violent and revolutionary. It had been such as was calculated to convey to the people of Ireland the impression that Government were ready to concede everything to the most violent claims of agitators. The language of the original Resolutions which preceded the Suspensory Bill of last Session was of the *Delenda est Carthago* style—"the Irish Established Church must cease to exist." He doubted not that the Fenians in Ireland were now under the impression that a sort of political Saturnalia had set in—that a Government—to use the actual phrase of the ex-Mayor of Cork—"which had yielded up the Irish Church under the influence of fear" would be prepared, under the same purpose, to sacrifice the Irish landlord. Now, he admitted that the Irish Church was not in all points defensible from the insults which were heaped upon her. Her means were ill-distributed, and her very position had warped her action. No doubt some re-adjustment of her affairs was necessary, but no one had yet ventured to declare that her revenue was too great for the work before her, if that work was to be thoroughly and efficiently accomplished. The President of the Board of Trade had pointed to the Free Kirk of Scotland, and had bidden the Irish Protestants to follow the example of self-reliance thus set them. But could there be any comparison between a voluntary secession and a violent ejectment? Persons who voluntarily left an endowed Church might be expected to make provision for their own religious wants; but could we reasonably expect to find in men summarily and violently ejected from an Establishment the same zeal, energy, and co-operation in finding a substitute that might be exhibited by religionists who voluntarily set up a Church of their own? Were the zeal of rivalry and cheerfulness of submission equally animating sentiments? Would men be as eager to re-place money in the hands of those who plundered them as to furnish it for their own ambition? Equally untenable was the analogy drawn by the Secretary of State for War between the destruction of the Irish Church and the Act for the repeal of the West India clergy charge upon the Consolidated Fund. The right hon. Gentleman said, "Why not treat Ireland as if she were a colony?" Did he mean that Ireland was to have self-government and her own legislature? The measure adopted in respect of the West India Church, so far from being a disendowment, was a step to the endowing of that Church more entirely out of the funds of its own country; but this Bill would throw the Church of Ireland on private resources. He had yet to learn that throwing a Church on the local taxation of a country instead of the eleemosynary aid of another country was the same thing as disendowing it. He knew there were men on the Ministerial Benches who desired when the West India Clergy Act was passed to make it go so much further, but they have not dared openly to propose it. Then, again, the case of the Clergy Reserves had been cited in support of the policy of disendowing the Irish Church. But that was also not a case in point, because the Clergy Reserves never were an endowment, nor their commutation a disendowment. There was not the slightest doubt that the Clergy Reserves were first set apart in Canada in order to balance in favour of Protestants the endowments of the Roman Catholic Church. From time to time they had been given to Protestants distributively, not only to the Anglican Church but to the Scotch Church and to Dissenting bodies. They were finally given to Roman Catholics also. The Act we passed simply left it to the local Legislature to do what they pleased with them. That is all we did. By the Clergy Reserves Act the Parliament of Canada put an end to the former system, and after securing all life interests to the Church—not on the narrow calculations of the present measure, but so as to leave ample endowments to the Church and other religious bodies—handed over the remainder, which had grown much beyond religious requirements, to the disposal of the municipalities. The adoption of the Clergy Reserves Act by the Parliament of Canada formed the first step towards anything in the shape of an endowment of any religious body, except the Roman Catholics, in Canada. He acknowledged the inutility of attempting to obstruct this Bill, but he could not help observing that, it did not stand at all on its merits, but that it had all along been treated as a foregone conclusion, that the arguments in its favour had from the first been based on false precedents, and that those precedents had supported a wholly illogical syllogism. So far from the objects of the Bill being likely to be attained, the measure, while giving no satisfaction to the Roman Catholics, who were maligned by being thought to be propitiated by mere destruction of all religious provision, would justly irritate the Protestants who were to have their national provision so gratuitously sacrificed.

Mr. STAPLETON said, that the arguments employed by the right hon. Gentleman the Secretary of State for War had been misunderstood by the right hon. Gentleman who had just sat down, because the right hon. Gentleman the Secretary for War had not cited the cases of Scotland and Canada as precedents of disendowment; but merely for the purpose of showing that when the people of a country were treated as equals the discontent which had previously existed had subsided, and that in the case of the two countries referred to we were now reaping the fruits of the wise and generous policy which we had adopted, and to that argument, he believed, no answer had been given. With regard to the manner in which the right hon. Gentleman at the head of the Government had been supported by a majority of that House, he was glad to say that so far as he (Mr. Stapleton) knew, their constituents had not in any case found fault with them for the support they had given to this Bill. That was his answer to those who said that though the constituencies had approved of disestablishment and disendowment generally they had not approved of the particular plan of the Government. The right hon. Gentleman (Mr. Adderley)—doubtless without intending it — had paid the highest compliment to the Bill that it was possible to pay, when he said that it had come out of Committee almost unaltered; for the natural inference was that the measure had been originally so skilfully framed that it was impossible to make any material alteration in it without injury to the principle which had been accepted by the majority of that House. The right hon. Gentleman had suggested a preference for some other arrangement; but he (Mr. Stapleton) was at a loss to know what arrangement he meant. Did he propose to follow the arrangement of the Church Commissioners, which suggested that the funds of the Church should be taken from the poorer districts and given to the richer ones? He was at a loss to know what policy could be substituted if this Bill should have the misfortune to be rejected in "another place." The noble Lord the Member for Haddingtonshire (Lord Elcho) had no policy, neither had the hon. Member who spoke on the same side, except the policy of a notorious agitator. If the Bill miscarried there was only one policy which could be submitted to the country, and that was the policy advocated by the right hon. Gentleman the Member for Buckinghamshire, and the right hon. Gentleman the Member for the University of Dublin (Dr. Ball). No doubt it was a great stroke of genius to conceive such a policy. The right hon. Gentleman the Member for Buckinghamshire endeavoured by it to attach Roman Catholic Members to the Conservative party; but he must remind the right hon. Gentleman (Mr. Adderley) that that policy was a Conservative, and not a Protestant policy, and if carried out would inevitably lead to an immense accession of power to the Roman Catholic Church, which would then be in a better position than in Belgium and France. Such a scheme would not be politic; it would go far to confirm the Roman Catholic Church in Ireland in its present ultramontane character. Protestants and Roman Catholics would change places. Now, the Episcopal Protestants had the chief endowment, and the lesser endowments, the *Regium Donum* and Maynooth, were the buttresses by which it was supported. Under the plan of concurrent endowment the principal endowment would go to the Roman Catholics, they being by far the greatest number. The lesser endowments would be the buttresses by which their greater endowment would be supported. These lesser endowments would only serve to mortify Protestant zeal. The effect on the Roman Catholics would not be reciprocal. They had the peasantry. The aristocracy would be attracted to them by this *quasi* establishment, and as to the middle classes they had only to look to what was happening in Vienna and elsewhere to see that they were more dangerous to Rome—at least ultramontane Rome—within than without her fold. They should not forget the recent attempt to create a Fenian revolution in Ireland, an attempt which differed from previous movements in the fact that it was carried on in spite of the influence of the Roman Catholic clergy. He knew nothing more humiliating in ecclesiastical history than the connection between the Fenians and the Roman Catholic clergy. In the beginning the Roman Catholic Bishops had gone so far as to refuse the sacraments of their Church to the members of the Fenian brotherhood on the authority of a Papal Bull, which, *ipso facto*, excommunicated all members of secret societies; and yet, a short time after, when the three men were executed at Manchester, who died without renouncing Fenianism, and who were therefore excommunicated, the priests were compelled to offer up prayers for them in a large number of Roman Catholic churches. He believed this measure would have pretty much the effect which had been anticipated by the President of the Board of Trade. The Reformation would have a better chance in Ireland than it ever had before, whilst those who continued Roman Catholics—and he (Mr. Stapleton) admitted they would probably be the great bulk of the people—would become a little less Roman than they were now. He would not pretend that of itself it would satisfy Ireland, and no doubt other measures of conciliation would be introduced to effect in conjunction with it the pacification of the country. The outrages which had recently disgraced Ireland deserved special consideration. It might be necessary to adopt strong measures for the detection of crime, and he would offer a suggestion for what it was worth. At present the great difficulty was not so much in the punishment of criminals as in the discovery of those who perpetrated crime. Magistrates could inquire only into matters affecting persons charged before them, and the police could not compel persons to answer questions, but a coroner, in inquiring into the cause of death, could call anyone he chose, and put any question which had a bearing on the matter. Coroners, however, had lost much of their former consideration, for, according to *Blackstone*, a coroner ought to be a knight, and rank next in the county to the sheriff. The Chief Justice of England was coroner for all England, and could exercise the office of coroner in any part of England; and in Ireland it would be a good thing to call upon Lord Chief Justice Whiteside, either by himself or one of his Colleagues, to hold an inquest in the case of an agrarian murder, and try to discover the perpetrators of it. The Lord Lieutenant, in his proclamation, said there were people at Mullingar who knew all about the murder of Mr. Anketell; and, if so, they could hardly keep their secret when subject to cross-examination by a man like Mr. Justice Keogh. The holding of such an inquest would have a deterrent effect upon those who contemplated murder in the future. It would make it difficult for them to get persons to accept that guilty knowledge to which the Lord Lieutenant alluded. Without that support they would probably shrink from carrying out their designs. The speech of the hon. and learned Member for Richmond (Sir Roundell Palmer) on the Bill involved a fallacy; for, while he proved that religious endowments existed, not for the clergy, but for the laity, he assumed that the laity in any particular case must needs be the congregation who attended the clergyman's ministrations, whereas the laity embraced the whole body of parishioners, as was admitted in the debates on church rates. What the Protestant laity in Ireland had a right to claim was that the transition from one condition to another should be made as easy as possible. He did not say that the Bill was one which could not be improved; and if improvements were introduced into it they would have an opportunity of considering them at a future time. But he was certain the Bill could not be improved in the direction desired by some hon. Gentlemen opposite. We had respected life interests and given up churches; and if any change were made in the Bill it should be a give-and-take one. If the Irish landlords, who were so well represented in the other House, were willing to part with the bonus which had been given them, he thought this House would not be unwilling to forego the charge on the glebes. A further suggestion he would offer was that, as the Papal aggression which produced the Ecclesiastical Titles Act had no reference to Ireland, and Sir Robert Peel admitted it was a great mistake that Ireland was included in that Act, a clause should be introduced in this Bill in the other House repealing the Ecclesiastical Titles Act in Ireland, and repealing also the 24th section of the Roman Catholic Relief Act, which prevented Catholic Bishops in Ireland assuming the titles of Protestant sees. In conclusion, he believed that Protestantism in Ireland would gain new strength from this Bill.

Mr. J. G. TALBOT said, that having been sent to Parliament by a large semi-metropolitan constituency (West Kent), in a county whose several divisions had at the late General Election pronounced a unanimous verdict against the policy of Her Majesty's Government, he did not wish to allow that discussion to close before he had endeavoured to express, as their representative, the opinions which he entertained upon that important subject. They were then asked to adopt the principle of disestablishment and disendowment as far as the Irish branch of the Church of this country was concerned. Through frequent repetition the meaning of the words disestablishment and disendowment had become indistinct. He valued the principle of establishment because, as he understood it, it was that the State should have a voice in religious matters, and should express its faith in some form of Christianity, while it took care that some provision should be made for the religious instruction of the people. That was the principle on which these kingdoms had hitherto been governed; and as the object of the Bill was to destroy the Establishment in one portion of Her Majesty's dominions, it would be a departure from that ancient national policy which had largely contributed to shape our institutions and our history. There was an exaggerated doctrine of the Royal Supremacy prevalent in some quarters, and he did not wish to exchange a Papacy in Rome for a Papacy in Downing Street, but he wished for liberty to clergy and laity under the Royal supremacy as in times past. The meaning of an endowment was more clear and unmistakable. The policy of disendowment must mean that henceforth that property which had been appropriated to religious purposes should be diverted from these purposes, and devoted to others of a secular character. He had no objection to the employment of public money for the establishment and management of lunatic asylums and similar institutions; but the question they had then to consider was not whether the purposes to which it was proposed they should apply the funds of the Irish Church were good or bad purposes, but whether they had a right to take that money out of the hands of its present recipients and administrators. If the purpose for which it was at present employed was a bad one, he would admit at once that they possessed such a right; and he was aware that there were Gentlemen — among whom, perhaps, might be ranked the right hon. Gentleman the President of the Board of Trade —who believed the purpose was a bad one, inasmuch as it was simply that of maintaining in a state of ascendancy a particular denomination of Christians. But unless they were prepared to give up altogether the principle of an Establishment they could not object to the application of certain public funds to religious objects. He did not believe that the funds of the Irish Church were too large for the requirements of that body, and unless they were ready to dispense with every kind of security for the maintenance of a religious Establishment in Ireland, they would not be justified in seizing on the funds of the Protestant

Episcopal Church in that country. He found that among the supporters or admirers of the Church Establishment was Matthew Henry, the celebrated Nonconformist divine, and commentator, who gave thanks to God for the national establishment of our religion with that of our peace and civil liberty, "that the Reformation was in our land a national act, and that Christianity thus purified is supported by good and wholesome laws, and is twisted in with the very constitution of our Government." Those Gentlemen opposite who were dissenters from the Church—and who seemed to aim at disestablishment as a principle—would, he believed, do well to weigh carefully the opinion thus expressed by an eminent member of their own connection. He would put it, too, to the supporters of the Bill whether Members who opposed it were not justified in representing that as only a step in a direction in which many others were to follow. The course pursued by Gentlemen on the Ministerial side of the House irresistibly led to that conclusion. His experience in Parliament had not been long; but he believed those most experienced would regard the manner in which this sweeping measure had been carried through the House as a most remarkable incident in Parliamentary history. With regard to the conduct of Her Majesty's Government towards their opponents, he had no desire to raise any complaint or quarrel. They had received the arguments put forward by the Members of the Conservative party in a spirit of fairness and moderation, although they had not at the same time made any large concessions. But the First Minister of the Crown, who had been kind to his opponents, had been a hard taskmaster to his Friends and followers. Every symptom of disaffection on the part of those Gentlemen had been met by prompt and decisive repression. The House had thus seen on more than one occasion the hon. Member for the City of Dublin (Mr. Pim) go out into the Lobby and vote against his own Amendments; and the hon. Member for Rochester (Mr. P. Wykeham Martin) who had at first taken a lenient and considerate view of the position of the Irish clergy, had in a similar way yielded to the authority of those whom the Prime Minister had described as the "usual sources of information." The motto of those who used these occult influences over the Members of the party opposite appeared to be the well-known one of Winchester School—

"Aut disce aut discede."

He doubted indeed whether even the humiliating option of the *sors tertia* had been conceded to them. And he was not sure whether the humiliating *sors tertia* had not in this case been preserved. He congratulated the Government on the extreme discipline they had thus maintained. The Opposition had been taunted with suggesting the destruction of Establishments which supporters of the Government might otherwise not have desired to attack; but he did not suppose their opponents wanted prompting, because no one could run over their names without coming to the conclusion that they were pledged to a course of complete disestablishment and disendowment. Besides the so described "thick-and-thin supporters" of the Government there were others below the Gangway of various shades of opinion who were enemies at least to Episcopal Establishment. Roman Catholic Members would not deny that they were, of course, opposed to the establishment of the English Church, and Wales had sent a large body of Nonconformists as opponents of the principle of Establishment in every shape. Wales had even refused to send the Home Secretary to this House, though his Conservative tendencies could not be said to be of the most alarming character. Bristol and Bradford were examples, also, of the strength of the same party. When the hon. Member for Bristol (Mr. Morley) was examined before the Committee of the House of Lords in 1859, he stated in reply to Lord Wensleydale that he objected to a State religion altogether, and being asked as to the ultimate objects of those with whom he was associated, he said he believed the great object was to separate religion from the slightest connection with the State—that they were of opinion that Church property was national property, and should be dealt with according to the judgment of the nation. Such were the sentiments of the hon. Member for Bristol ten years ago, and, looking at the way in which things had proceeded from that time to this, he could not doubt that those views, then shared by few Members of that House, were now held by no inconsiderable number. He knew Her Majesty's Government could not dispense with the support of those hon. Gentlemen. He also knew that there were, sitting on the Treasury Bench, right hon. Gentlemen who, if asked in private, the true sentiments of their hearts, would not disguise that these were the ultimate objects at which they aimed. But believing, as he did, that the establishment of religion in these islands and the holding sacred the endowments set apart for its support had been among the greatest ornaments of our institutions and had assisted to form some of the brightest pages in our history, and believing, too, that this measure was in direct hostility to those principles, he could not forbear, whenever an opportunity presented itself, to say "No" to this disastrous measure.

Mr. MONSELL said, the conclusion of the able speech of the hon. Member for West Kent (Mr. J. G. Talbot) evidently showed that his feeling with regard to that measure was dictated, not by a consideration of the interests of Ireland or of the Irish people, but by a dread that the effect of disestablishment and disendowment in Ireland would react upon England. But if the hon. Gentleman had reflected for a few moments he would have seen the manifest distinction which existed between the Establishments of the two countries. The English Establishment confessed the faith of the nation, it cemented the different orders of society together, it created no jealousies, it was loved by the people. The Irish Establishment separated and divided the people; it did not confess, but it opposed the national faith, and therefore no argument drawn from the one Establishment could be fairly applied to the other. The hon. Member stated that every Roman Catholic Member of that House was opposed to the English Establishment. Now, had the hon. Member sat longer in the House he would never have made such a mistake. When he (Mr. Monsell) had had the honour of addressing the House on these subjects, he at all events —and he believed he expressed the feeling of other Roman Catholic Members— disclaimed the slightest desire to attack or injure in any way the Establishment in England. The Roman Catholic Members considered that it lived by the national will, that it represented the national faith, and that it would be unworthy of them to attempt, upon any religious ground, to overthrow that which the nation had established, and which it desired should continue to exist. He wished next to advert to some observations of his right hon. Friend the Member for North Staffordshire (Mr. Adderley) as to the effect of the abolition of the Clergy Reserves in Canada. His right hon. Friend seemed to think that that was rather an endowment of the Church than a disestablishment. Why, it was notorious that the result of that measure was to take away considerable funds from the Episcopal, and he believed also from the Presbyterian Church; and he would read the opinion expressed by the Protestant Bishop of Toronto on the Act for the Abolition of the Clergy Reserves, an opinion which would be found to have a very close resemblance to some of the denunciations lately levelled in Ireland against the measure now before the House The Bishop said—

> "Popular violence is to determine the question; vested interests and the claims of justice are impediments to be swept away; hence the spoliation sought to be perpetrated by the Legislature of Canada has no parallel in colonial history."

Now, it was important to consider what had been the effect of the establishment of perfect justice in regard to religious endowments in Canada. They all knew what before that time was the state of Canada; they knew the bitter religious animosities which had prevailed in that country, and the political disaffection which had so often called for the attention of that House. To show the change that had taken place, he would mention only a single fact. In the Province of Ottawa there was an enormous Protestant majority, chiefly consisting of Presbyterians; and yet since the period of the foundation of that Province the Prime Minister of Ottawa had been a Catholic. In the Province of Quebec the Catholic majority was preponderant; yet from the time when the Province of Quebec was established there have been in the Government four Protestant Members. That showed that those religious animosities, and that introduction of religion into politics which were the curse and bane of both, had disappeared in Canada, under the influence of justice and equality. And if they could only have in Ireland what

Canada had in those particulars, the advancement of that country in civilization and everything they desired would not be exceeded by that of any country in the world. The right hon. Member for North Staffordshire, and the noble Lord the Member for Haddingtonshire (Lord Elcho), had both stated that the measures taken by the Government had in no degree mitigated disaffection in Ireland, and the noble Lord endeavoured to prove that assertion by saying that Ireland now ran red with the blood shed in agrarian crime. Now, this agrarian crime, horrible and deplorable as it was, prevailed happily in only two districts in Ireland; and, moreover, it had no more to do with political disaffection, or with animosity against the Government of this country than the *vendetta* in Corsica had to do with the Government of France, or garrotting in the streets of London with Free Trade. The measure before the House did not propose or attempt to deal with the causes of agrarian crime; it proposed to deal with political disaffection; and he could state on his own knowledge, from information that he had received from various parts of Ireland, that the result of the measure in regard to allaying political disaffection had already been greater than even the most sanguine could have expected. What was the state of Ireland before his right hon. Friend (the First Lord of the Treasury) brought forward his Bill? They knew from Lord Mayo's statement that among the lower class in three Provinces there existed almost universal disaffection. There the mass of the people looked to Washington and not to that House for relief; they turned away from the Imperial Parliament; they said there was no hope of redress from the English Government, as they called it, and that Ireland was not governed according to the wishes, feelings, or interests of her people, but that her legitimate inspirations were sacrificed to English prejudices. That feeling had altogether changed. He could state most distinctly that all that was going on in that House was looked to with the greatest possible interest by the people of Ireland; that those who had been strongest in their belief that the English Government never would do anything for Ireland, now turned with hope to that House, and believed that their grievances would be redressed; and, he maintained that so remarkable a change having occurred in so short a time was a sufficient justification of the measure and policy of his right hon. Friend. But the noble Lord said that measure was carried by Roman Catholic votes. Now, he (Mr. Monsell) stated deliberately that with the framing of that Bill or with the discussions upon it the Roman Catholic Members had almost nothing to do. It had been the work of Protestants in every particular; and that was a part of the matter which he thought reflected honour and credit on the people of this country. If they abstracted the small number of Roman Catholic Members of the House from the overwhelming majorities which had pronounced in favour of it, the result would remain very much the same as it now was. What must be the effect upon the progress of religious liberty throughout the world when a nation like ours was seen rising up as they were now doing, and, although Protestants themselves, determining to do to others that which they would that others should do to them, and to relieve the Catholic people of Ireland from this great injustice? He should like to hear from some hon. Gentlemen opposite what hope they entertained of being able to induce the people of this country to reverse the decision which they had pronounced? The people of this country had proved themselves just by the course they had taken in regard to this measure; but he was afraid there were too many recollections of old feuds and differences to make them particularly in love with the Irish people, and he was sure that their feeling respecting the Catholic religion was not one of very cordial admiration. Therefore the conclusion of the English people in reference to this matter was due not to enthusiastic feeling of any kind, but to a deep sense of justice and the investigation of the facts of the case by studying those organs of public opinion which had popularized the information lately published under the direction of the Master of the Rolls, bearing on the question of the foundation and history of the Irish Church. The people of England now knew that that Church was founded in opposition to the will of the Irish people, and that, as Mr. Froude remarked, there was hardly a single honest supporter of it in

Ireland at the time it was established. The Act of Parliament under which it was established imposed terms on its ministers which no Catholic could accept, and so transferred the Irish ecclesiastical endowments from the Catholic to the Protestant Church as effectually as we should transfer them back again if we were to make subscription to the creed of Pope Pius a necessary condition for holding ecclesiastical benefices. Against that Protestant Church the Irish people had maintained a continual protest. Every time the strong arm of England was removed from them, as in 1645 and 1690, the first thing the Irish did was to resume possession of the churches. Indeed, every Irish gentleman must admit that there was not a single parish in three of the four Provinces in Ireland, the inhabitants of which, if left to themselves, would tolerate the existence of the Establishment among them. How, then, could it be hoped to change the opinions which from the consideration of facts like these the English people had formed? He was as much interested as hon. Gentlemen opposite in the security of life and property in Ireland; but he thought there could be no greater calamity than would arise if the horrors of religious strife, which must be caused by a Bill like this, were prolonged by the progress of the measure being arrested for a few months. There was one question which he wished to submit to hon. Gentlemen opposite, and if they could reply to it affirmatively, their arguments would carry much greater weight than they did at present. He wished to know from hon. Gentlemen opposite whether, if the circumstances were reversed and their co-religionists were placed in the same position that the Catholics of Ireland were in—if the Catholics were only a ninth of the population, but were in possession of the whole of the churches and all the religious property of the country — would they tolerate that state of things for a single hour? He believed they would resort to every means in their power—that no agitation would be too fierce—in order to effect an alteration in a state of things which they would feel to be unjust. If so, they had no right to place Irish Catholics in a position which they would not accept themselves. As long as the Established Church existed in Ireland as a badge of conquest it would be impossible to hope to have peace and security in that country. He trusted hon. Gentlemen would not regard this as a religious question; but that they would deal with it on the pure broad principle of justice, and as a matter in which the credit and conscience of the nation was involved, not considering whether the result of the measure would be to advance the interests of any particular religion in Ireland. Indeed, he believed that no man could say what would be the religious effect of separating the Protestant Church from the injustice with which it was at present connected; and of dissolving that close and intimate political union which must exist among the Catholics as long as that injustice bound them together. He was quite sure the Catholics of Ireland would look with far more favour upon the State, and be more ready to acknowledge the jurisdiction of the State if the State treated them with justice. In the name of justice, therefore, he made his appeal to the House, believing in his conscience that until this measure was carried there could not be peace and prosperity in Ireland. Ireland could never take her place among the nations till Parliament removed from her brow that badge of inferiority which was placed on the brow of no other nation. And if he might be allowed to apply the words of Lord Bacon to this subject he would say—

> "If God bless our kingdom with peace and justice no usurer is so sure in seven years' space to double his principal with interest as the kingdom is to double its stock of wealth, for peace and justice are sisters that are never separated."

Dr. BALL:* Sir, the right hon. Gentleman who has just spoken (Mr. Monsell) has asked whether anyone on this side of the House can blame the Roman Catholics of Ireland for advocating and supporting this Bill? If the right hon. Gentleman had asked whether anyone censured the Roman Catholics of Ireland for desiring a variation in the ecclesiastical arrangements of the country, I should have answered him by saying, "No one." They, like every other portion of the community, have a clear right to put forward what they believe to be their just claims. But when the question is confined to this particular measure, I tell him I do not believe that they, any more than any other Church, are justified in advocating this particular measure; for its main and cardinal principle is as much opposed to the views of the great authorities of the Roman Catholic Church as it is to those of the Church of England — indeed, I believe it to be opposed to the opinions of every Church in the world, except such nonconforming bodies as adopt the system of maintaining religion by voluntary contributions as a part of their tenets. Sir, this main and cardinal principle of the present Bill, which, I say, stands in direct antagonism to the ideas and, perhaps still more, to the feelings of every Church, is ostentatiously proclaimed in the Preamble to the present Bill in words which, the Prime Minister has been pleased in his speech on its introduction to say—are written in letters of iron—namely, that the property heretofore dedicated to religious purposes shall henceforth be applied, "not for the maintenance of any Church or clergy, or other ministry, nor for the teaching of religion." And all the details of this Bill, whether they consist of the destroying clauses for the overthrow of the Establishment, or of the constructive clauses appropriating this property for the relief of suffering or otherwise for the benefit of objects of general benevolence, are but means to an end—that end being to carry into operation this essential principle of the measure. Sir, we do not judge — for myself I have no title to do so, and if I had I should be little inclined—those who support the Bill either as thinking the policy on which it is founded right, or, though not what they would prefer, inevitable. I respect many of its eminent advocates, and, I hope, do justice to their motives. But neither respect for them, nor the large majorities in this House in favour of both the principle and the details of this measure, nor the arguments derived from considerations of expediency urged during its progress, have shaken the conviction which we at this side of the House entertain; the conviction that at the root of the whole question — the question whether you are to confiscate for secular purposes endowments dedicated to the maintenance of the teachers of religion—there lies something too deep to be measured by any guage or standard known to mere political philosophy. Sir, it was no consideration of expediency, no prudential foresight of statesmen, that originally gave endowments of this character. They sprang wholly and altogether from a religious impulse —an impulse not only superior to the calculations of self-interest, but based upon the absolute negation of such motives. They are not peculiar to any country or any social system. One after another, every Christian kingdom in Europe has set apart, out of the general property of the community, a portion reserved as a fixed and permanent estate dedicated to the maintenance of religious teaching. It was in this spirit such property was originally created, in this it has been preserved; and, by this protected, it has survived innumerable mutations and vicissitudes of government. It is with this religious spirit we now come in contact. It is against its very existence that alike the principle and the provisions of this Bill are aimed. You do not reform the institution which is in possession of the property conferred by its bounty; you do not re-distribute the property among other religious communities; you destroy the institution and confiscate the property. In this you are making a precedent—a precedent in your own history; a precedent in European history; a precedent fruitful of consequences to yourselves, to all countries and to all times; for what is the country and what the time to which the influence of your example may not reach? Heretofore, you may have varied the objects to receive, never the original purposes; you may have varied the mode of application; and the persons through whom to apply it, never before directed the application into a totally different channel, and accompanied it by a declaration that no property derived from public sources, no gift of a public character shall be devoted to the support of religion or religious worship. In such a policy it is impossible for us to participate. Nay, it is indispensable that we should by our votes this night relieve ourselves from the responsibility of giving such a measure even a passive assent. Sir, it is to express these opinions, and explain why, after the triumphant progress of the Bill in this House, we still continue our opposition, and not in order to re-open the debates and discussions which have taken place in reference to its provisions, that I have risen. But without departing from this subject, or entering upon topics on which so much has been already said, I may glance at the inconsistent character of the reasonings of the advocates of this measure—one party supporting it upon the ground that it is right in principle, the other because, although not what they approve, it is unavoidable. Those who take the former view, oppose all endowments from the State; indeed, some go so far as to object to endowments of any kind, and seem to consider all assistance of that nature as more an incumbrance than an aid to the progress of religion. Thus we are reminded that the first missionaries of Christianity were not many wise nor many noble; that they laboured under the disadvantages of personal humility and poverty; that so far from having the support of power and authority, they encountered their most determined hostility. But such an illustration if applied to guide modern legislation, can lead only to fallacious inferences. The first ages of Christianity were an exceptional period in the world's history, a period of miraculous inspiration and interposition. The teachers of the new religion, whatever their original position or opportunities, appeared on the scenes of their exertions, accomplished not merely with all the advantages which mental cultivation could confer, but with gifts and capacities differing in kind, as well as in degree. We cannot reason from an exceptional period; we cannot anticipate the same results without the same causes; we are to provide for men not under the operation of special and peculiar circumstances, but for ordinary men, in ordinary times, under ordinary influences; and when it is with such men, such times, such influences we have to deal, I say, that to withdraw all endowments, and along with them the elevated thought, refined cultivation, and high intellectual acquirements which flourish—and experience shows flourish only—under the shelter of endowments, must inflict the most damaging blow that could be struck against the cause of Christianity, in the contest which is being waged upon its behalf against the irreverent and sceptical spirit now abroad, hostile to all belief and to every creed. And here let me observe, that, in the tone and manner in which this advocacy of free and unendowed Churches has been conducted, there is nothing calculated to reconcile us to these views, or abate our fears of the consequences of their adoption. We have heard it more than suggested that the clergy of every denomination—the whole clerical order—are by no means conducive to social improvement; their opinions on social questions have been designated "ecclesiastical rubbish;" in fact, we are told that we have got very little more from all their labours. When we hear this and observations of the like kind accompanying the assertion of the religious superiority of unendowed Churches, and observe the quarter from which they proceed, I own it does seem rather a severe draft on our charity—I had almost said credulity—when we are asked to attribute the opinions advanced to a genuine affection for apostolic poverty and mortification, and not in some degree to that envious eye which in every age democratic ambition has cast upon the distinctions and emoluments which have been appropriated by a policy as wise as just, for the reward of learning, and piety, and virtue. Sir, the other party who support this Bill have not the slightest sympathy with these views; they prefer endowments, they recognize the benefit of Establishments, but allege that in the present case their abolition is demanded by the requirements of State necessity. Without pausing to comment on the discrepancy and opposition between these two classes of supporters of the Bill, or of the natural distrust we may feel of discordant and contradictory counsels, I come to consider what, after all, is this State necessity? Not that I deny there may be occasions when a statesman must bend to circumstances—when not the measure that he would, but the measure that he can, may have to be produced; nor that I am prepared to exclude even the question of a Church Establishment from this rule. But that, while conceding you cannot either on this or any other political question lay down one universal policy for every age and every country, I do also assert that if there be endowments, if there be an Establishment, if there be thus maintained religious teaching, carrying in its train civilization of the highest character, the moral and the social improvement of, if not the whole, a large and influential portion of the community—the last resource of the statesman will be its destruction. It is one thing to reform, it is another to destroy. It is one thing to re-edify, or re-build, or re-mould; it is another to level to the ground, unable to renew or to construct—the architect merely of ruin. But what is the alleged State necessity? Public opinion and feeling in Ireland! Against assertions of this kind, place the remarkable declaration read in the course of his able speech this evening by the noble Lord the Member for Haddingtonshire (Lord Elcho), emanating from the Meath Tenant Right Association, of which Bishop Nulty is a member. In that declaration it was stated that the sole question for Ireland is the land question, and that the introduction of the Church question was only calculated to create religious animosity, and to lead to controversies between landlord and tenant in that country. Such was, in 1865, the opinion of the Roman Catholic people of Meath, announced through their Bishop and clergy. Such, at this moment, I believe to be the opinion of all dispassionate observers. Where, then, is the State necessity arising from Irish feeling? But if not Irish, it may be averred English Liberal opinion and feeling coercively dictated this measure. Have you even this to justify it? In the month of February last year (Earl Russell), a former Prime Minister, and the unquestionable chief of that Liberal party whom he had so often led to victory, addressed a letter to the Chief Secretary for Ireland, in which he says that the introduction of the voluntary system into Ireland would be attended with great disadvantages. Another Leader of the Liberal party (Earl Grey), also addressed a letter to the right hon. Gentleman opposite (Mr. Bright) before the Resolutions of last year were brought forward, in which he expressly states that he would regard it as a great calamity that any people should be left without endowments for their clergy, or that a nation should be divested of that acknowledgment of religion which such endowments imply. Here, then, is what is called State necessity. Not only is this measure not demanded by the Roman Catholics of Ireland, but it is pointed out to be subordinate to another. Not only is it unsought by English Liberal opinion, but it is expressly condemned by two great Leaders of the Whig party. I have searched in the speeches of hon. Gentlemen opposite to see in what this State necessity really consists, and I have, I believe, discovered from those speeches that in which it had its origin. I find it more than once asserted that the Earl of Mayo, by his speech on the Irish question last year, necessitated the development of the present policy. How? The Earl, no doubt, in that speech came forward and shadowed out—I say shadowed out, for he did not in any distinct form propose—a line of policy which had been initiated by Pitt, and re-affirmed by Canning and Peel, and which he expressed by declaring his "preference for elevation and restoration to confiscation and degradation, as a means of effecting equality in the position of Churches." Place whatever construction you please on these words, you cannot deny that, even if they did not go so far, they, at all events, tended in the same direction, as your own Leaders, Earl Russell and Earl Grey, had publicly, in the writings I have cited, pronounced they were prepared to go. How, then, could Lord Mayo's speech create a necessity for the present directly opposite and contradictory policy? Plainly none, so far as the nation was concerned; plainly much, so far as the interests of party were involved. These interests it was, and these only, which required that you should forthwith produce something different from his policy, something that should go further. Such a necessity and such motives it is a misuse of language to dignify with the name of State necessity and State motives — they are nothing higher or better than mere party necessity and party motives. But even if I were to concede that which I utterly deny — that you could show some State necessity for the measure—I ask what State necessity was there for the extreme severity, the harshness and unrelenting rigour with which it has been framed? I am not speaking of existing life interests, because, while dissenting from some of the conclusions at which they arrived, I at once acknowledge that the right hon. Gentleman the Prime Minister, and the right hon. Gentleman the Attorney General for Ireland have given considerate attention to any suggestions made on behalf of individual interests; but what I am complaining of is, that in dealing with an institution which has been for three centuries rooted in the soil, and which has exercised within its own sphere of operation the most beneficial, social and moral influence, you have without the slightest need adopted such a policy. I do not, however, Sir, as I have already stated, mean to advert at length to the reasons brought forward for this measure, nor do I desire to urge again those which have on former occasions been advanced against it. But in connection with this plea of a State necessity—the only justification of the Bill which, if there was anything in the condition of the country to support it, would deserve discussion—I may be permitted to direct attention to the testimony which such a plea gives in favour of the Irish Church. Other religious institutions, in this country and in several of the Continental kingdoms, have felt the hand of power. There are few, very few of them, in respect of which something in their condition, as exorbitant wealth, sloth and apathy in the discharge of duty, internal corruption, or other default, were not assigned as motives to legislative interference. But in the case of the Irish Church this blow has been struck, and if the Church is to fall, it will fall, not through any misconduct of her clergy, or any failure of theirs in the discharge of duty, but in consequence of external pressure and necessity. Whatever may be the result of the Parliamentary struggle in which we are engaged, this consolation will remain. It is to the honour of the right hon. Gentleman the Prime Minister that he has given his testimony—and no one has realized a loftier ideal of the clerical character—to the worth and merits of the Irish clergy. So, also, has a Roman Catholic Prelate, Bishop Moriarty, in a tribute honourable to them and to himself, spoken of them as "blameless, estimable, and edifying, accomplished scholars, and polished gentlemen." And holding the office of an ecclesiastical Judge in the largest province in Ireland—an office necessitating a knowledge of every default — I may perhaps be allowed to add my voice and testimony to their merits, and speaking with all the experience and opportunity of observation I have had, I fearlessly place the character, the intellectual attainments, the purity of life and doctrine of the clergy of the Irish Church in competition with those of any other body of men engaged in the clerical vocation in any other country or at any other time. The one single accusation that has been, or that can be, made against the institution as a religious institution is, that it has failed in obtaining support from, and in converting to its views, a large majority of the people of Ireland. For myself, however, I am not prepared to adopt as a legitimate charge against any Church that it has failed to convince of the soundness of its doctrine those who are brought up, not under its ministration, but under other and adverse instruction. I do not recognize it as a fault in the teacher that he cannot make the whole nation of the same opinion as himself. The world has never seen, and is never likely to see, except under a system of universal indifferentism, absolute uniformity of religious profession. And I must remind the right hon. Gentleman (Mr. Lowe), who advanced this argument against the Irish Church, and who characterized it as being stricken with the curse of perpetual barrenness, that Protestantism itself has not throughout the European kingdoms advanced its territories in any sensible degree since a period shortly after the Reformation; and, therefore, if this is a charge against the Irish Church, the whole Protestant religious community, of which both the right hon. Gentleman and myself are members, must share it with them. I do not, then, deny the failure of the Irish clergy to bring within their congregations the native population; but I do deny that this touches, or ought to influence, our estimate of the piety, learning, and other merits of the Irish clergy. Even, however, if the observations of the right hon. Gentleman as to the degree of missionary success attained by the Irish clergy were entitled to more weight than I submit they are, yet there would, in making our estimate of their services, remain to be weighed no inconsiderable contributions from this body to the interests of literature and science, and the general benefit and information of mankind. Ireland and the Irish Church are the country and Church of Usher and Berkeley; and from them to the distinguished Prelate (Bishop Magee) whom the right hon. Gentleman the Member for Buckinghamshire selected to place in one of your own sees, that Church has never wanted an illustrious succession of ministers eminent in every accomplishment of eloquence and knowledge. Nor is it the least of the advantages of our connection with the sister ecclesiastical Establishment that we have added to these some of its greatest names, and adorned the annals of Ireland by the adoption among its sons of such men as Jeremy Taylor and Whately; that we may claim as our own the apostolic piety of Bedell, and the princely munificence of Boulter and of Robinson. And, Sir, it is because we know and appreciate the value of an institution which has given us so many benefits, because we believe that in the maintenance of an endowed clergy we have the best guarantee for social and religious improvement, because we distrust — and everything that occurs increases that distrust — your prophecy of peace and harmony, because we believe that the soundest policy, and something above and beyond policy, demand that we should retain for their proper uses the endowments dedicated to religion, that we now at this last stage of its progress through the Commons' House, feel it to be our duty to again place on record our solemn dissent and our determined opposition to this Bill.

MR. BUTLER-JOHNSTONE said, the Bill had been called by a great variety of hard names. The hon. Member who had opened the debate (Mr. Holt) had said, for instance, that it was unparalleled, unconstitutional, and revolutionary. His own opinion was that this last term was one that it most certainly deserved, and that was one of its chief titles to support. ["Oh, oh!"] It was the introduction of an entirely new mode of dealing with the Irish question—a mode which had been summarized in the formula—"We must legislate for Ireland according to Irish ideas." If that formula, however, really expressed what they wished to do, he could only say that they had better let Irishmen legislate for themselves; but what he supposed was meant was that they should legislate for Ireland according to Irish conditions. The difference between the two phrases was considerable. If they legislated for the Irish Church according to Irish ideas, they would make over all the ecclesiastical property of the country to the priests; whereas the Bill proposed to do nothing of the sort. If they legislated on the land question according to Irish ideas, they would legislate the Lord knew how; but if they legislated on it according to Irish conditions, their object would, at least, have practical limits, and it would be confined to an endeavour to put the tenant, in a country where there was no land custom, on a footing of equality with the tenant in England, where land customs prevailed with mutual benefit to the owner and the occupier. If they legislated on education according to Irish ideas, they would hand over the moral government of the country to the votaries of a system on which the great majority of the people of this country looked with distrust; but if they legislated according to Irish conditions they would maintain that mixed system which, if not by any instantaneous or miraculous process, would yet, by the silent working of natural laws, do more to remove religious discord than could be effected by any other mode that they could adopt. Hon. Members talked as if they looked on Ireland, not as she was, as an integral part of the United Kingdom, but as if she was a sort of chemical constituent of it; whereas, if they would successfully grapple with the difficulties which they had to encounter, they would legislate for her in the spirit of a federal Government. If they were to adopt the same principle in Ireland which they had done in Scotland, in his opinion they might look for equally satisfactory results. The peculiarity of Ireland was that its people were not homogeneous, but they never would become so as long as the minority were supported by the whole weight and power of the United Kingdom. He had the greatest possible respect for Irish Protestants, whom he believed to be the finest race under the face of the sun, but he should cease to entertain that respect for them if he believed what was stated by the noble Lord the Member for Haddingtonshire (Lord Elcho), that theirs was a qualified allegiance, to be thrown to the winds if they were deprived of their privileges and predominant influence. Throughout these lengthened debates there had been many arguments about the abstract value of the connection between Church and State, and of the Royal Supremacy, but there had been very little reference of any sort to the applicability to Ireland of the Church Establishment. They had been told that this Bill was in direct contravention of the Treaty of Union and the Coronation Oath. Now, if these arguments were worth anything they went to show that, under no supposable circumstance whatever, had Parliament the right to change the existing state of things. Supposing the Protestants of Ireland were reduced to half-a-dozen families, did hon. Gentleman mean to say that, even then, it would not be right to disestablish and disendow the Irish Church? That was, he thought, a *reductio ad absurdum* of these transcendental arguments. The opinion of Dr. Chalmers, quoted by the noble Lord the Member for Haddingtonshire, as to the value of the Irish Church as an instrument of civilization, was based, of course, upon its character as a missionary Church. If it could be proved that the Irish Church had been making converts, then there might be some reason for continuing it under State patronage and support; but it was a well-known fact that, as a missionary Church, it had entirely failed. Since 1760 the disproportion of Protestants and Roman Catholics had very considerably increased; and, therefore, it was in vain to argue that it was at all likely to succeed as a missionary Church while the present state of things continued. The right hon. and learned Gentleman the Member for Dublin University (Dr. Ball) said that want of success was no disqualification to a religious community. But this question was entirely political; and he believed that the abolition of the Irish Church Establishment would, by a gradual process, allay political and religious discord, and would, in connection with other measures, inaugurate a new era in Ireland, introduce peace and tranquillity amongst a people now, unhappily, too much discontented, and add to the stability and greatness of the country. For these reasons he had all through given his support to the Bill, though it might be impossible for him to approve of every provision contained in it. He thought the weak point of the Bill was the way it dealt with the surplus, appropriating a part of it to purposes already provided for, and handing over the tithes eventually to a body which had no right to receive it, but that was a small point. Better far let the whole of the surplus be thrown into the sea, than that they should continue a system which, more than anything else, tended to create differences amongst Irishmen, and prevented that common concord in the country which was so absolutely necessary for its welfare.

Mr. W. JOHNSTON said, he thought there was no slight inconsistency in sitting upon the Opposition Benches and uttering arguments such as the hon. Member for Canterbury (Mr. Butler-Johnstone) had just addressed to the House, for if there were any one point more than another in which Conservatism consisted, it was in the maintenance of the Protestant institutions of the country, especially of the Established Church. Sitting as he himself did below the Gangway, and differing in many points from the Leader of the Conservative party, he yet felt that he could not continue to sit on the Opposition side of the House if he did not oppose the Irish Church Bill of the Government. He opposed the Bill because he believed in the truth of the Protestant religion. [*A laugh.*] Hon. Gentlemen opposite might laugh; but he repeated his assertion that he for one believed in the truth of the Protestant religion, and, further, that nothing which might be done by Her Majesty's present Government, or by any other Government, would crush out the spirit of Protestantism. The Bill before the House was not the same issue which was before the country at the time of the General Election. The people of England had never expected that Maynooth was to be dealt with in the manner it had been, and the Scotch Members, though not unwilling to subsidize Maynooth out of the funds of the Irish Church, would think very differently if the money came out of their own pockets. He protested not less strongly against the proposal of concurrent endowment, which he had heard with regret advanced from the front Bench on his side of the House, and which was also recommended in an able article in the *Quarterly Review*, that referred with approval to the views of the right hon. Gentlemen the Members for Buckinghamshire and for Dublin University, as following in the steps of Mr. Pitt and Mr. Addington. He, for one, was not afraid to face the Protestant democracy of the country; and he had no doubt that if, at some future day, the Archbishop of Westminster or of Dublin sought to rest upon the present levelling-down policy as the basis of Establishment for the Roman Catholic Church, he would be stoutly resisted by that Protestant democracy. He admitted that the Irish Church needed some reform, but he denied that it was necessary to destroy it altogether. He differed from many hon. Members as to the Royal Supremacy. If the Church of Ireland were to be disestablished and disendowed it must be free to legislate for itself, and not be trammelled by State interference. Having recently returned from the North of Ireland, he could state that the vast majority of the Protestants in that country were strongly opposed to the Bill. A large meeting had been held to declare against it. He would admit that it was an Orange meeting, but they were a brave, loyal, and determined race; true Irishmen, and as strongly attached to the institutions of the country as any class of the community. They now thought themselves very hardly treated by this country. The promises held out that their religion was to be maintained had been broken without their being guilty of any act entitling them to such treatment, and in their name and his own he strenuously protested against the present measure. They had maintained at some risk, as a colony almost in a hostile country, the supremacy of the Crown. If there was to be a separation from England, if the disestablishment of the Church was to be followed by the disunion of the State, then he believed that the Protestants of Ireland would be perfectly well able to take care of themselves.

MR. MILLER said, that he had on a former occasion pointed out the Free Church of Scotland as an example to be followed by the disestablished Church of Ireland. He had since found that the statistics he then quoted from memory were perfectly correct. The smallest stipend given by the Free Church was £150 a year, while the average stipend of 870 clergymen was somewhere about £250 a year. The Free Church, which had only been established twenty-six years, now consisted of 954 clergymen. It was a missionary Church, and in addition to its regular churches had a large number of mission churches, the ministers assisting in which were not supported out of the Sustentation Fund. With regard to the United Presbyterian Church, there was at one time an idea that that Church would not succeed, but it had now 750 congregations in Scotland. The Free Church and the United Presbyterian Church raised between them £740,000 a year, which he took to be considerably more than the endowments of the whole Irish Church. These facts should encourage the members of the Protestant Establishment of Ireland to trust to their own resources and to the Protestant faith.

MR. DISRAELI: Whatever may be the condition of the Sustentation Fund to which the hon. Member alludes, the Sustentation Fund of this debate seems to be nearly exhausted. I trust, therefore, that the House will think that I have not intruded at too early a period, if I ask their permission to make a few observations before the vote is taken. I was struck recently, when meeting a Member of this House who has long been absent, and who, during that period, has filled, in a distinguished manner, eminent posts in the service of his Sovereign, by his remark that, on returning to the House of Commons, after more than thirty years' absence, he found we were debating the very same subject as when he left it—Ireland! Ireland! Ireland! In those days, when the disorders and discontents of a portion of the Irish people were brought under the consideration of Parliament, there was only one specific for the grievances then alleged and the disturbances then felt. Statesman and agitator, Whigs and Tories, all agreed that the causes of these discontents and disturbances were political, and therefore that the remedy for them must be of the same character. So, year after year, specifics of that kind were brought forward by Ministers—Parliamentary Reform, Municipal Reform, Jury Reform, great schemes of National Education, and great systems of National Police—all of them to ameliorate the condition of the people of Ireland. Yet, nevertheless, this was ever discovered, that periodically, notwithstanding all these measures of improvement, Parliament found itself in the same position, and was obliged to introduce an Arms Bill or to pass an Insurrection Act: and this was because all public men and all parties persisted in shutting their eyes to the real cause of Irish disturbance and discontent. None of them would recognize that it was a physical cause, and produced by physical circumstances, which, probably, no statesman and no party could attempt to encounter or to remedy. Yet the simple cause is now better understood, and we know that that disturbance and discontent were occasioned by this fact—that more than a quarter of the people of Ireland consisted of paupers, and paupers in a helpless condition. On a square mile in Ireland, with reference to the cultivated portion of the country, there was a population greater than is to be found in any European or even any Asiatic country. This population depended for their subsistence upon the humblest means that probably any race of men ever existed upon. All these facts are now recognized, and some light can be thrown on the state of Ireland. But, at that period, those who had to consider it were perplexed and appalled by the difficulties they had to encounter. They had recourse to political palliatives, and they trusted they might at least gain time. When you conceive the position of a country where one-fourth, and more than one-fourth, of the population were paupers, and paupers in a hopeless condition — when you know, as may be proved by documents on this table, that there were 600,000 families in Ireland who were only employed for twenty out of the fifty-two weeks in the year, you can form some idea of a national condition which does not now prevail in any part of Europe. Recollect, also, that this population in this state of extreme adversity was not a stolid one, brutalized by their condition, as has sometimes happened in other parts of Europe, but a nation of much susceptibility, of quick feeling and imagination, ready to place themselves under the leading of any impassioned orator who called upon them to assemble and discuss the grievances of their country, or quick to yield to all the subdolous machinery which constitutes a secret society. And so you had in Ireland gigantic public meetings on a scale that never took place in any other country — as at Clontarf and Tara; or, on the other hand, you had Ribbon societies and organizations of that kind. All this time this country was governed by a peculiarly weak administration. With institutions which, from circumstances, were necessarily, even if of a beneficial kind, of a limited influence, you had to encounter elements of disorder and disturbance in Ireland with the weakest administration, probably, that ever was devised by man. Well now, under such circumstances, everyone felt that the position of Ireland was one which would always constitute the difficulty of a British Minister; and one of the most eminent of British Ministers acknowledged that Ireland was his difficulty. He only acknowledged that that was his fate which was the destiny of every Minister of every party who attempted to meet such circumstances; and everybody felt that nothing but some great event, impossible to contemplate, could possibly remedy a state of affairs so anomalous and irregular as that which prevailed in Ireland. A revolution might have produced the necessary consequences and changes in any other country; but a revolution in Ireland seemed impossible, and a human and political revolution was impossible in Ireland from its connection with England. But a revolution did take place. Not one of those great changes produced by political parties, because it was an event which destroyed parties; not produced by political passions, because it appeased and allayed all political passions—one of the most appalling events that have occurred in modern times, perhaps the most awful and appalling event that ever happened with reference to any European country. The limited means of sustenance by which those 2,000,000 of hopeless paupers had existed suddenly vanished, as if stricken from the soil. They perished by thousands, and tens of thousands. Emigration followed famine and disease. In the course of a year after that emigration you had to pass in this House an Act of confiscation of many estates in that country; and, so far as revolution is concerned, there is no revolution of modern times which ever produced changes so extensive as were occasioned by the famine, by the emigration, and by the Incumbered Estates Act passed in 1849 by this House. Well, Sir, when the two countries had somewhat recovered from these appalling circumstances, when the earthquake and the fire had passed, and the still small voice of counsel was heard, it did appear, both to England and Ireland, that if ever there was an opportunity in which the terrible state that had so long prevailed might be terminated—when we could prevent its ever being repeated—that opportunity had arrived. Costly as may have been the price, great as may have been the sacrifice, there was, at least, some compensation in the conviction that so far as the two countries were concerned, there was, at least, the opportunity of establishing a system different from that fatal condition which had, almost for centuries, baffled the devices of Ministers and the noblest aspirations of a great people. Well, Sir, we can look back upon these events now, after a sufficient interval, which permits us to calculate with some accuracy the consequences. So far as the means offered, on the part of the English Ministry, to effect the moral improvement of Ireland, I think it must be admitted that there was little left to be done. For the last twenty years—I might even say forty years, but certainly since the period of these great disasters—the policy of the English Government to Ireland has been the same and consistent, whatever party has sat on the Bench opposite. To secure the due administration of justice, to open to all creeds and to all races the fair career of merit, to soften, without having recourse to those violent changes which would alarm the interests and, perhaps, outrage the feelings of any considerable part of the Irish people—to soften, I say, those anomalies which, as yet prevailed in their social system—to mitigate and countervail them; that was the policy of the English Government, and whoever might form that Government, whatever party might sit on that Bench, I repeat it, that was the system followed and has for years invariably prevailed. That system, indeed, was established and pursued before the great calamities which occurred to Ireland in 1848; but even that system of advancing the moral improvement of Ireland was, in some degree, assisted by these great calamities. They had occasioned a great interchange of sympathy between the two countries, most prominent at the time; and, indeed, so deep that at the present moment its effects are still felt. An English Minister after the famine, if he brought forward any measure in this House the object of which was to assist the social improvement, or by moral means to ameliorate the condition of Ireland, experienced less difficulties upon such a subject than he did before. There was no captiousness, no suspicion; on the contrary, both sides exhibited on every occasion even an eagerness to support a policy of that kind. But, Sir, I admit that such a policy—a policy which had been pursued before these calamities—however constantly prosecuted, was not calculated to produce much effect on the physical condition of the Irish people. That depended, as I have indicated to the House, upon material causes. Well, now, in that respect, what has happened to the Irish people since that time? I say we have the advantage of twenty years' experience to form an opinion as to the alterations in their condition which have occurred since their great calamity. In the first place, their most considerable industry has been completely re-organized on conditions highly favourable to the labourers on the soil. I will not enter into any controversy now as to the degree to which agricultural wages have increased in Ireland, but Gentlemen will admit that the increase has been considerable. If I were to refer to documents on our table, if I were to adduce the evidence of Bishop Doyle, if I were to go to a period much nearer—namely, the Reports of the Commissioners previous to the introduction of the Poor Law into Ireland—I could make statements to the House which would show, I think, that the increase of wages to agricultural labour in Ireland has been very considerable indeed. But I am not anxious to enter into a subject on which controversy might arise. I will say, therefore, that we may fairly assume that agricultural wages of labour in Ireland have probably doubled; but what is a much more important consideration in respect to wages in Ireland is that for the first time in that country you have had a system of continuous labour; and, instead of 600,000 families which were not employed for more than twenty weeks in the year, you have the population employed not only at an increase of wages, but also in continuous labour. That is a most important fact as evidence of the amelioration in the condition of the people. I will not enlarge on the circumstance that capital has been introduced into Ireland, and has been applied to the encouragement of manufactures; because, though that is an important consideration, the application of such capital is an advantage which must necessarily be the slowest realized. It is, however, undoubted, for we have evidence of the fact, that capital from England and Scotland has been applied to manufactures in Ireland during the last twenty years; but what is of greater moment in the condition of the people of Ireland is that the trade of Ireland has been immensely increased during the same period; that the increase in the means of employing and enriching the people of that country by trade has probably been greater than, but certainly equal to, the improvement in the condition of the agricultural labouring classes. We know from the Returns relating to shipping that the tonnage of Ireland has not merely doubled, but trebled, and in some ports quadrupled; and the increase of tonnage has not been confined to one or two ports, but has pervaded the whole country. What, then has been the general result of all these causes, so far as the condition of the people is concerned? The result is that there has disappeared from the country these 2,000,000 of hopeless paupers, whose existence there was a source of disturbance and discontent. I know that there are some who say that, though these statistical results cannot be fully denied, a great calamity has happened to Ireland in the reduction of its population. I have never been one of those who looked on the reduction of the population of Ireland as an advantage. I entirely agree with what was said by the late Lord Lieutenant of Ireland, the Duke of Abercorn, that you must take Ireland as you find it with all its existing circumstances—its tenure of land and its population—and you must endeavour to govern Ireland with reference to those existing circumstances, and not with reference to abstract principles of political economy. I myself deplore the reduction in the population of Ireland, because I feel that the condition of the United Kingdom cannot be maintained in the scale of nations unless it realizes a certain amount of population; and, so far as I can form an opinion, that amount of population cannot be secured with a reduced contribution from Ireland. Therefore, I look forward to the time when we shall see the population of of Ireland increase from its increased resources, and reach again the point from which it was diminished, not in consequence of legislation, but from causes over which legislation had no control.

Well, such as I have described was the state of Ireland when the Fenian conspiracy broke out. We had had a revolution in Ireland — a revolution not brought about by human means; the condition of the country was entirely changed, and the cause of disturbance and discontent had disappeared. The country was recovering was more than recovering—it had recovered; it was in a state of progressive improvement; the people were better fed and clothed, and, as the last step in the improvement of their condition, they were beginning to be better housed. The wealth of the country had immensely increased. Before the famine the stock of Ireland was worth little more than £20,000,000, and by the last Return it was estimated at £50,000,000. Simultaneously with that increase there has been an increase in the arable cultivation of the country. Therefore, the allegation that the increase of wealth has been obtained by changing the system of cultivating the soil and diminishing the amount of human labour has no foundation. Such was the condition of things when the Fenian conspiracy broke out; and I say that upon a right appreciation of the character of the Fenian conspiracy depends the question whether the policy of the right hon. Gentleman at the head of the Government is a wise, just and necessary policy, or whether we may not be pursuing a policy most dangerous and fatal to this country. We approach this subject under some advantages. I can say, for myself, that I can consider it without prejudice or passion. The Fenian conspiracy did not commence when I and my Colleagues were responsible for the government of the country. It had already broken out, or I dare say that there might have been some impartial critics on public affairs who would have alleged that that conspiracy broke out in consequence of our policy. We inherited the conspiracy from our predecessors; but I am the first to acknowledge that the policy of our predecessors was not accountable for that event. However, I and my Colleagues had to bear the brunt of that conspiracy, and even our opponents have generously and fairly admitted that we put it down with firmness, and yet with moderation. Therefore, having no passion or prejudice on the subject, I can express my opinion as to the character and cause of the Fenian conspiracy with little fear of being misunderstood. I had the opportunity of making myself well informed on the subject. Hon. Gentlemen know now a great deal about it;

but something never will be known except by those who at that moment incurred the responsibility of conducting affairs; and I will express my conviction that the Fenian conspiracy was an entirely foreign conspiracy. I do not mean by that to say it was a merely American conspiracy, but that it was a foreign conspiracy. It did not arise from Ireland; and it was supported from Ireland very slightly. The whole plan and all the resources came from abroad, and the people of Ireland, as a people, repudiated that conspiracy. From the commencement, the persons who got up the conspiracy—the originators and abettors of it—were persons influenced by obsolete traditions as to the condition of Ireland, and the temper of the Irish people, and when they applied their preparations to Ireland they found out the great mistake they had made, in assuming that they were dealing with Ireland as it was at the commencement of the century. No doubt there are people in Ireland who will at all times sympathize with a political movement of any kind. A very lively people, with not too much to do and little variety of pursuit, will always have among them a class of persons ready to busy themselves with any mischief that is going on. There is a certain class in Ireland who are in the habit of saying what they do not mean, and of doing that which they never intended. But no class of any importance, no individuals of any importance, ever sanctioned the Fenian movement; they repudiated it; they felt that it was an anachronism, that it originated in obsolete traditions, and was devised by people who were perfectly unaware that the Ireland upon which they were operating was the Ireland in which there had been the portentous revolution I have referred to. If this view be correct, I say that the inference I have a right to draw is this—that the Fenian conspiracy having been completely baffled, having been met—I hope I may be allowed to say with courage and wisdom—and having been completely put down, it ought to have been allowed to pass away, and that the improvement in the condition of Ireland ought to have been permitted to proceed; so that in the course of time, in another ten or even twenty years — and what are twenty years in the history of a very ancient nation like Ireland, and a nation which has passed through such vicissitudes?—we had a right to believe that Ireland would have been in much the same condition as England or Scotland. But the right hon. Gentleman took a different view. The Government said, in effect —"The Fenian conspiracy is a national conspiracy. Because of the Fenian movement we say that the whole or that a great body of the Irish people are dissatisfied and discontented with English government, and what, therefore, must we do? Why, we must rescind the whole policy of conciliation carried on for thirty or forty years." This is the key-stone of the right hon. Gentleman's policy that I am now touching on. The Government, I say, declared—"We must throw aside all the material conclusions that have resulted from the portentous events that occurred in Ireland, and that did not result from human legislation. Never mind the lesson of the famine. Never mind the lesson which emigration has taught you. Never mind all the steps which, in consequence, you were then obliged to take in this country. The Fenian conspiracy proves to us that the whole nation is disaffected. We must rescind the policy of this country, and we must have, instead, a policy of great change and great disturbance" — for you cannot have great change without great disturbance. I say that the whole question whether the policy of the Government—the gigantic issue which the right hon. Gentleman has raised—is a wise or a fatal policy entirely depends upon the right appreciation of the Fenian movement. [*Murmurs.*] We are discussing matters of such gravity that they cannot be decided by a murmur or even by a vote. These will last; and it is well, therefore, so to examine them that we may be able to arrive at some clear perception respecting them. The right hon. Gentleman says—"This is a proof of general and national discontent. There must, therefore, be a complete revolution;" and we have before us the first proposition of the right hon. Gentleman. Now, what is this first proposition? The Bill we are asked to read a third time is a Bill to abolish the Protestant Church in Ireland, and to confiscate its property. I will not repeat the general objections to that policy. On the third reading of the Bill, and when we wish to secure a division, we ought to avoid any repetition of arguments. I will not, then, do more than remind the House that this is a change in the constitution of England; that this is, as the right hon. Gentleman and his Friends have announced, a revolutionary measure. I will not enlarge upon what I myself deeply feel—that it weakens the character of civil power by divorcing it from the religious principle which has hitherto strengthened and consecrated it. I will not touch upon what is quite unnecessary to mention — that this is not a measure which will increase the confidence in property in this country. I say willingly that I am myself prepared, if necessary, to consider all these contingencies—to consider whether it ought not to be our duty to adopt a policy involving a change in the Constitution, which is avowed by those who bring it forward as a revolutionary policy, which endangers and weakens property, which may damage to the last degree the very character of civil authority by divesting it of any connection with religion—all these contingencies, I repeat, I am prepared to consider, and, if necessary, to accept, if the supreme safety of the State requires it. But I say that we have at least a right to ask from her Majesty's Government that we should have proofs of that necessity. What I want to ask the House on this occasion is—prepared, as I assume the majority of the House is, to embrace all these large and violent propositions — Have we received from the Government adequate evidence to prove that necessity—Have we received any evidence? I want to know that. Ireland is discontented again, Ireland is disturbed again, there is one remedy for that discontent and that disturbance; it is the abolition of the Protestant Church and the confiscation of its revenues. Have we evidence that if we abolish that Church and confiscate its revenues we shall render Ireland contented and tranquil? Sir, so far as I can form an opinion, that evidence does not exist. I receive myself a great many letters every day upon the state of Ireland. We have heard from an hon. Gentleman (Sir George Jenkinson) during these recent debates how much he was applied to in the same manner. I do not know whether his correspondence exceeds mine, but mine is of two kinds. I have a correspondence from laymen, even from ladies. [*A laugh.*] Though you may smile, if I read some of those letters to the House you would find that they are of a harrowing character. There are letters from Irishmen and Irishwomen, describing a state of affairs which would make every countenance serious that heard them. The writers are extremely alarmed about the lawless state of their country, and I am not in a position to relieve or remove their alarm. But I also receive a great many letters from clergymen of the Established Church in Ireland, and they are also alarming — but their alarm is of a different character. These clergymen are only alarmed at the conduct of Her Majesty's Government. They are not at all alarmed at the state of the country. Some of those clergymen live in Tipperary and some of them in Westmeath; but not one of them tells me that he is in danger—that his life is menaced, or that he is under the least apprehension of offence or personal attack from his Irish fellow-countrymen. Though almost every week we have accounts of outrages in Ireland, I have not heard that any clergyman of the Established Church has been a victim. No Irish clergyman of my acquaintance has ever alluded to disturbance. Then, I say, what is the evidence that, if we abolish the Irish Church and confiscate its revenues we shall cause any diminution of the discontent and disturbance which prevail among a portion of the Irish people, inasmuch as it does not appear that the discontent and disturbance arise from any of the accidents of the Irish Church? Surely, if it were true that the abolition of the Church and the confiscation of its property would be sufficient to remove that discontent and disturbance we should have some evidence of the fact in assaults on the persons of the clergy. [*A laugh.*] Will the hon. Gentleman who laughs be good enough to explain why it is that the landlord should be assassinated while the clergyman is left unharmed? If the persons who commit these outrages are discontented with the landlord or with the class to which he belongs, and prove their discontent in the manner that has lately been exhibited, why should they not assault the clergymen if they are discontented with him or with the class to which he belongs? But, on the contrary, the clergyman is in a state of complete security; he makes no complaint of the circumstances of the locality in which he passes his existence, and, so far as his letters are concerned, you would never suppose that his country was disturbed. I again ask, then, what evidence have we that if we have recourse to this violent remedy we shall effect the cure for which it is brought forward? But in itself the objections to it are very considerable, totally irrespective of those general ones to which I have alluded. If the right hon. Gentleman had proposed to confiscate the property of the Irish Protestant Church and transfer it to the Roman Catholic Church, though I should consider that an unwise and unjust measure, it would be an intelligible proposition. It would be a proposition for which arguments could be offered, and which at least would be consistent with the principle of property. But what does the right hon. Gentleman say? "I propose to confiscate the property of the Protestant Church, because the Roman Catholic Church is discontented." What does that amount to? To a recognition of the principles of Socialism. A man comes forward and says, "I am a poor man, and I am discontented because another man has an estate and a park. I do not want his estate and park, because I know that every man cannot expect to have an estate and a park, but take them away from that other man, and my political views are met." Well, that is Socialism, and it is the policy which Her Majesty's Ministers now propose to adopt.

What I wish to impress on the House is this—we have no evidence whatever to justify or even to colour the great changes which are proposed. Let us see what will be the first effect of this revolution. It must produce this effect—it will outrage the feelings of a considerable portion, though not the majority, of the people of Ireland, because I am not at all prepared to admit that there are two nations in Ireland. I look upon the Irish nation as one people. For the last forty years they have been a homogeneous people. If we go into an analysis of the elements of a nation, in the way which has been attempted in this debate I am not sure that we shall be able to prove that the English people are so homogeneous as political philosophy now requires a people to be. I treat the Irish as one nation, and I think all must admit that the course we are pursuing must outrage the feelings and sensibly injure the interest of a considerable portion of that nation. Well, Sir, that is a break-up of the system of general conciliation which has been pursued for so many years. You have disorder and disquiet in Ireland, and you injure those who are tranquil and not disorderly. You add their discontent to existing disaffection. Under what circumstances are you pursuing this course? You are pursuing it under these circumstances. Assuming that the Fenian conspiracy is an absolute proof of the general disaffection of the majority of the Irish nation—which I believe to be the greatest fallacy in the world—you announce a great change in your policy, you rescind the ancient policy of conciliation, and announce a policy of change and revolution, of which the first measure is before us, but several other measures have been promised and announced. I will not dwell in any detail upon them now, but it is impossible to forget, when we are considering the wisdom of your present proposition, that you have held out expectations to the great portion of the people of Ireland respecting the tenure of land. I am not going to make quotations from the speeches of hon. Gentlemen opposite, which is never my way, but I must refer to them when they affect the public conduct of their party. There is no doubt you have selected this time to announce your policy upon subjects scarcely less important, perhaps quite as important as the Irish Church. The right hon. Gentleman the Secretary of State for the Home Department, the Minister peculiarly charged with the maintenance of peace and tranquillity in Ireland, has publicly denounced the "infernal land laws" of that country. [Mr. BRUCE denied having used the words.] The statement has been made in this House, and the right hon. Gentleman did not then take the opportunity of making the explanation which he probably will at a future period. Whether the right hon. Gentleman did or did not make that declaration is at present of little importance, but that the great portion of the Irish people believe that he made it is of the utmost importance. Why was it passed over in silence? What was the effect of that declaration? Why, Captain Rock came out of his retirement directly; again we found Molly

Maguire waving her bonnet and Lady Clare paying evening visits to the landlords and farmers of Ireland? It is all very well for the right hon. Gentleman to tell me in a half-whisper across the table that he intends to deny it, but he cannot forget that this passage in his speech was read in this House a month ago, and that he did not then make the denial. [Mr. Bruce: There was nothing in the speech about "infernal land laws."] Perhaps it was landlords. I am never anxious to twit my opponents with their speeches and I did not bring the extract with me, but I will send it to the right hon. Gentleman. But I say you have at this moment unfortunately produced every possible element that can be devised to disturb Ireland. It is not merely that you propose this great measure of abolishing the Church, which at once enlists against you the feelings, as is now proved, of 1,500,000 of the population of that country—because it cannot be estimated by those who are in formal communion with that Church—but, whether you are guiltless or not, you have so contrived it that you have conveyed the impression to the great portion of the Irish people—who apparently were very content, who were gaining much higher wages than they did twenty-five years ago, and who were continuously employed—the impression that a great revolution is about to take place in the tenure of land. I do not dwell upon the subject of education, because it has not produced any agitation at present. The Roman Catholic Church on the subject of education waits in grim repose. This is quite clear, that we have now before us—whether it was necessary or not is another question—instead of an Ireland that was at least tranquil, that in my mind was essentially progressive in its improvement, that was not in any way connected with originating the Fenian movement—you have an Ireland now which you must be prepared to witness as the scene of disturbance—perhaps, of disaster. What will be the natural consequence? What is the state of affairs we must prepare ourselves for if Ireland be the scene of great disturbances? For you not only have one body of the population agitating for a revolution in the land tenure, and another—and a most influential body—holding back from a Government which they think has betrayed them with respect to the institution most dear to their feelings and most prized by them. I say, amid all this distraction and disorder there will be one power and one body that will not be disordered and distracted. There is one power in that country where you are preparing such elements of disturbance which is organized and disciplined, with a powerful tradition, and which is acting under the authority and command of a supreme and sovereign central power.

Now, I am not one of those who wish to create unnecessary alarm about the power of the Papacy. There are philosophers opposite who of course despise the power of the Papacy. But I am not speaking on this subject as a philosopher, or, I hope, as a bigot. I am speaking as a Member of Parliament looking to public affairs, looking to what I think will be the consequence of the conduct of the Ministers of this country, and endeavouring to contemplate the means we may have to counteract those consequences. I do not blame the Papacy if Ireland is in the state of confusion and distraction that it soon must be if this policy is followed. I do not blame the Papacy for fulfilling that which with their convictions must be their highest duty. One's ordinary knowledge of human nature convinces us of this—that if men are abler than others; if they have the advantage of discipline and organization, when all others are undisciplined and disordered, when everything is confusion, when everyone is discontented, when you have Captain Rock among the peasantry, and when you have the Protestants of Ireland feeling, as they will feel, betrayed and deserted, will they take advantage of such a state of things, in order to advance the opinions which they conscientiously believe are the right ones, and avail them in such circumstances of the discipline and order which they command? You are encountering under those circumstances a foe with which you will find it very difficult to compete, and to laugh at such possible contingencies, at such highly probable contingencies, may do very well for the course of this debate; but what will be our condition when these almost certain results happen, and when you, if you sit in Parliament at that time, will be called on to devise means to counteract and to prevent a consummation of consequences which hitherto have been conceived and held in this country to be fatal to our liberties? I say, Sir, it cannot be for a moment—it ought not for a moment to be concealed from ourselves that the policy of Rome, when we give every inducement and encouragement to the pursuit of that policy, will be to convert Ireland into a Popish kingdom. It will not only be her policy, but it will be her duty. Then you will understand what she means with regard to Established Churches; then you will understand what she means with regard to national education; then you will understand what that great system is which hitherto has been checked and controlled by the Sovereign of this country, but in a manner which has never violated the rights and the legal liberties of our Roman Catholic fellow-subjects. But you will now, by this policy, have forced and encouraged Rome to adopt a line different from that which hitherto she has pursued. What will happen? Is it probable that the Protestants of Ireland will submit to such a state of affairs without a struggle? Who can believe it? They will not. I say they never will submit to the establishment of Papal ascendancy in Ireland without a struggle. How can you suppose it? ["Hear, hear!"] How is it be prevented? It may occur, probably when the Union between the two countries which is to be partially dissolved to-night may be completely dissolved; for it is very possible that, after a period of great disquietude, doubt, and passion, events may occur which may complete that severance of the Union which to-night we are commencing? But what of that? I do not suppose that if there were a struggle between the Roman Catholics and the Protestants of Ireland to-morrow, even the right hon. Gentleman the President of the Board of Trade, or the most fanatic champion of non-interference, can suppose England would be indifferent. What I fear in the policy of the right hon. Gentleman is that its tendency is to civil war. ["Oh!"] I am not surprised that hon. Gentlemen should for a moment be startled by such an expression. Let them think a little. Is it natural and probable that the Papal power in Ireland will attempt to attain ascendancy and predominance? I say it is natural, and, what is more, it ought to do it, and it will do it. Is it natural that the Protestants of Ireland should submit, without a struggle, to such a state of things? You know they will not; that is settled. Is England to interfere? Are we again to conquer Ireland? Are we to have a repetition of the direful history which on both sides now we wish to forget? Is there to be another battle of the Boyne, another siege of Derry, another treaty of Limerick? These things are not only possible, but probable. You are commencing a policy which will inevitably lead to such results. It was because we thought the policy of the right hon. Gentleman would lead to such results that we opposed it on principle; but when the House, by a commanding majority, resolved that the policy should be adopted, we did not think it consistent with our duty to retire from the great business before us, and endeavoured to devise Amendments to this Bill, which I do not say would have effected our purpose, but which, at least, might have softened the feelings, spared the interests, and saved the honour of those who were attacked by the Bill. In considering these Amendments, we were most scrupulous to propose nothing that could counteract and defeat the main principles of the policy of the right hon. Gentleman. We felt that to do that would be to trifle with the House; would not be what was due to the right hon. Gentleman, and could not affect the purpose we had before us. There was not an Amendment which, on the part of my Friends, I placed on the table, that was not scrupulously drawn up with this consideration; there was not one of those Amendments which, in my opinion, the right hon. Gentleman might not have accepted and yet have carried his main policy into effect. What the effect of carrying these Amendments might have been I pretend not now to say; but at least, if they had been carried, or if the right hon. Gentleman himself had modified his Bill in unison with their spirit, there was a chance of our coming to some conclusion which would have given some hope for the future. I ask the House to recollect at this moment the tone and spirit in which these Amendments were received. Rash in its conception, in its execution arrogant, the policy of the right hon. Gentleman, while it has secured the triumph of a party has outraged the feelings of a nation. If the right hon. Gentleman had met us in the spirit in which we met him, at any rate we should have shown the Protestants of Ireland that, whatever might be the opinion of the majority upon the State necessity of the policy of the Government, there was a desire in Parliament to administer it in a spirit of conciliation towards those who, as all must acknowledge, are placed in a position of almost unexampled difficulty and pain. But not the slightest encouragement was given to us; no advance on our part was ever acepted by the right hon. Gentleman, who has insisted upon the hard principle of his measure; and it has become my duty upon this, the last day, to comment upon the character of that principle and the possible consequences of its adoption. I know very well the difficult position in which we are placed to-night; I know very well it would be more convenient if we did not ask for the opinion of the House to-night, and allow this third reading to pass unchallenged; but I confess I could not reconcile that course with my sense of public duty. If this Bill be what I believe it to be, it is one that we ought to protest against to the last; and we cannot protest against it in a manner more constitutional, more Parliamentary, more satisfactory to our constituencies and to the nation, than by going to a vote upon it. We know very well you will have a great party triumph, a large majority, and we shall have what is called "loud and continued cheering." But remember this, that when Benjamin Franklin's mission was rejected there was loud and continued cheering, and Lords of the Privy Council waved their hats and tossed them in the air; but that was the commencement of one of the greatest struggles this country ever embarked in; it was the commencement of a series of the greatest disasters England ever experienced. And I would recommend the House to feel at this moment—this solemn moment — that this is not a question like the paper duty, not a party division upon some colonial squabble; we are going, if we agree to this Bill to-night, so far as the House of Commons is concerned, to give a vote which will be the most responsible public act that any man on either side of the House ever gave. You may have a great majority now, you may cheer, you may indulge in all the jubilation of party triumph; but this is a question as yet only begun, and the time will come, and come ere long, when those who have taken a part in the proceedings of this House this night, whatever may be their course and whatever their decision, will look upon it as one of the gravest incidents of their lives, as the most serious scene at which they have ever assisted. I hope that when that time shall come, none of us, on either side of the House, will feel that he has, by his vote, contributed to the disaster of his country.

Mr. GLADSTONE: Sir, the right hon. Gentleman (Mr. Disraeli) commenced his speech with an observation on the exhaustion of the topics relevant to this debate, but I owe to him, in candour, this acknowledgment — that by the argument of the greater part of his discourse he has imparted an air of something like novelty and originality to the question. The speech of the right hon. Gentleman is so critical and condemnatory with respect to the policy of the measure of the Government, that it must have conveyed to the mind of his party a certain negative satisfaction. But when they look for positive declarations of policy; when they ask themselves to what future course in any contingency the right hon. Gentleman has committed himself with respect to the Church of Ireland, and under what pledges he has placed himself to give satisfaction to that Protestant feeling of the country—to which he occasionally seems to appeal, I doubt whether the result of their review of his speech will be altogether satisfactory. As regards criticism upon us, undoubtedly if it erred, it did not err on the side of a niggardly dispensation. For what has the right hon. Gentleman said, if I may presume for a moment to endeavour to follow him in his lofty flight, and to reproduce—stripped, I am afraid, of much of their impressiveness—some of the main propositions of his speech? The right hon. Gentleman says that the whole of our proceedings are based upon certain views and apprehensions of the Fenian conspiracy, and from that statement he takes occasion to give his own history of Irish affairs. He says, at a forme time, political remedies were deemed necessary for Ireland, but that of late years it has justly been perceived that physical causes are at the root of the Irish difficulty. When, Sir, the right hon. Gentleman made the first allusion to physical causes, I did not expect he would have confined himself to the shore, but thought he would have referred to those maritime circumstances to which, on a former occasion, he assigned a large portion of the responsibility for the condition of Ireland. However, upon this occasion, the rihgt hon. Gentleman has modified his view, and what he says is—that in physical circumstances, exclusive, apparently, of those oceanic conditions, lies the root of the matter.

And here, Sir, I will observe that we do not propose new remedies for new difficulties. At the time of the Union Mr. Pitt, its illustrious author, and Lord Castlereagh, his coadjutor, saw that the attainment of substantial religious equality was essential to the tranquillity of Ireland, and they proposed the form of religious equality they thought best adapted to the circumstances of the time. We now, not, indeed, with respect to the form, but with respect to the important end in view, are proposing to carry out the very purpose and design of Mr. Pitt. But the right hon. Gentleman proceeds to say Fenianism was an insignificant affair—it was repudiated by the people of Ireland. There was no doubt, continues the right hon. Gentleman, in Ireland, as in other countries, a handful of idle folk looking for amusement or for novelty, and disposed to give encouragement to anything, whatever it be, that might gratify those appetites. That was his description, in 1869, of Irish Fenianism; but what said Lord Mayo, in 1868, on the part of the right hon. Gentleman? Having stated that the upper and educated and wealthy classes in Ireland were opposed to the movement, Lord Mayo proceeded to use these memorable words—

> "When you descend in the social scale and come to the small occupiers of land, you find a considerable number of that class who may be said to sympathize, to a certain degree, with the movement, though they have taken no active part in it. Descending still lower, to the uneducated agricultural labourers—to what in Ireland are called the 'farmers' boys,' to the mechanics and working men, the shop assistants and small clerks in towns, you find this organization widely spread. I am sorry to say in that some of the cities in the South of Ireland you find the mass of the people of that class deeply tainted with Fenianism, and perfectly ready to sympathize and co-operate with it to any extent."—[3 *Hansard*, cxc. 1356.]

To this official statement of Lord Mayo, fourteen or fifteen months after it was made, the right hon. Gentleman has to-night placed upon record his solemn contradiction. ["No! no!" *and* "Hear, hear."] Well, then, so much for the extent of Fenianism; now with respect to its results. According to the right hon. Gentleman, and not only according to him, but according to his representation of our professions, the Fenian conspiracy has in our view, and according to our declarations supplied the justification for the measure that we now propose. Sir, the right hon. Gentleman is entirely in error. In my opinion, and in the opinion of many with whom I communicated, the Fenian conspiracy has had an important influence with respect to Irish policy; but it has not been an influence in determining or in affecting in the slightest degree the convictions which we have entertained with respect to the course proper to be pursued in Ireland. The influence of Fenianism was this—that when the Habeas Corpus Act was suspended, when all the consequent proceedings occurred, when the overflow of the mischief came into England itself, when the tranquillity of the great city of Manchester was disturbed, when the metropolis itself was shocked and horrified by an inhuman outrage, when a sense of insecurity went abroad far and wide—the right hon. Gentleman then Home Secretary (Mr. Gathorne Hardy) was, better than we, cognizant of the extent to which the inhabitants of the different towns of the country were swearing themselves in as special constables for the maintenance of life and property—then it was that these phenomena came home to the popular mind and produced that attitude of attention and preparedness on the part of the whole population of this country which qualified them to embrace, in a manner foreign to their habits in other times, the vast importance of the Irish controversy. But is this our case alone? No; in condemning us the right hon. Gentleman has condemned himself. What were his propositions? I am almost afraid to repeat the words, which I should be glad if even now he were prepared to disavow and to contradict. Why, according to the right hon. Gentleman that revolution, which at a previous period he had represented as a possible cure for Irish evils, was effected through another process at the time of the famine. From the time of the famine onwards commenced the career of Ireland's prosperity and happiness, and in the year 1868, when our guilty ambition was about to disturb this blessed operation, it had reached such a point of ripeness that, says the right hon. Gentleman, in ten or twenty years more Ireland would have been like England or Scotland. That is the description which, on the 31st of May, 1869, the right hon. Gentleman offers to the British Parliament as his account of the condition of Ireland, at the time when the Irish policy of the present Government was proposed. Well, I may leave a proposition like that to be judged on its own merits. If there be those in this House who think the condition of Ireland in the beginning of 1868 was such that the country promised in ten years, or, at any rate, in twenty, if only let alone, to be like England or Scotland, those Gentlemen are in their perceptions, either too low or else too high for ordinary mortals, and I must leave them to their own reasonings as well as to their own convictions. But there is evidence of fact at least to which we may refer. The right hon. Gentleman seems to have forgotten that not long after his coming into Office, in the Queen's Speech, he described, not, indeed, so glowing a prospect as that which he has given to-night, but still he held out an expectation that, under the auspices of the Government that then ruled, something very blessed was about to arise. On the 5th of February, 1867, the right hon. Gentleman, together with his Colleagues, had advised the Queen to say that—

> "The hostility manifested against the Fenian conspiracy by men of all classes and creeds had greatly tended to restore public confidence, and have rendered hopeless any attempt to disturb the general tranquillity."

And Her Majesty was made further to say—

> "I trust that you may consequently be enabled to dispense with the continuance of any exceptional legislation for that part of my dominions."

Now, that was the feeble essay which in 1867 the right hon. Gentleman made in that style in which he has shown such infinitely greater proficiency to-night. But what was the result? In February the promise was given to Parliament that the Habeas Corpus Act should be restored; in March, I think, certainly not much later, the Minister had to stand at this box and say that he must demand its continued and prolonged suspension. Why, Sir, does the right hon. Gentleman think that when Ireland was within ten or twenty years of the condition of Scotland, or of England, it was justifiable in him to suspend the securities for personal liberty, to hold in confinement scores or hundreds, perhaps, of political convicts, and to hold in prison without trial and without charge scores, or it may be hundreds, more of persons whom it was a high crime and misdemeanour to place there unless the condition of Ireland was one of exceptional difficulty and danger? But, Sir, even this is not all the mass of evidence. Why did the noble Lord the Member for King's Lynn (Lord Stanley) go to Bristol in the month of January, 1868, and say that the question of Ireland was the question of the hour? Why, at the moment when the right hon. Gentleman took the chief place in the Government, did he prepare with considerable formality the announcement of an Irish policy; and why did his Irish Minister, in the place where I now have the honour to stand, occupy the House for hours with a description of physical advancement in Ireland, and along with that physical advancement, of an increase of political difficulty and discontent, which the fact of that physical advancement only rendered more alarming and more dangerous? Well, that being so, I do not think it is necessary to make an elaborate reply to the remaining charges of the right hon. Gentleman, who finds that this blessed course of things, which he has to-night for the first time described, was interrupted by the wanton and ambitious course—not that he has used any violence in describing it—of the Friends around me, and my own course, whereby we have darkened the smiling picture that was then presented, thrown Ireland into a state of political difficulty and danger, and brought her to the stage nearest to civil war. We brought her, says the right hon. Gentleman, to the very verge of civil war, at the very moment when we have been able to do that which he promised, but could not effect

—namely, to restore in Ireland the rule of ordinary law. Well, Sir, the right hon. Gentleman says that the Fenian conspiracy was the cause and the warrant of the policy of the Government. Not, certainly, according to our declarations and professions. If we are asked why we thought this measure necessary, why we felt it to be an absolute and imperative duty to propose our plan in lieu of the plan proposed or sketched on the part of the right hon. Gentleman—and possibly why we might have found it our duty to propose our plan if he had shadowed forth no policy or plan whatever—my answer is this—We knew of no criterion by which institutions in this country or in any country can be judged except the double criterion of policy and of justice. In our conviction the existence of the Irish Church is an injustice to the people of Ireland. In our conviction it is marked with the deepest features of impolicy, and has been perhaps the crown, perhaps the basis, certainly an essential and inseparable part of that system to which the woes and miseries of Ireland have been owing. And we stand supported in this opinion not by our own judgments and convictions alone, but by the voice of Ireland, rendered through her constitutional representatives, and by the voice of every other portion of Her Majesty's United Kingdom.

There was one other remark of the right hon. Gentleman which I think I ought to notice with regard to the course that he has pursued upon the present Bill, and with regard especially to the Amendments which he placed upon the table. Do not let it be supposed that I am about to make any complaint of the course taken either by the right hon. Gentleman or by hon. Gentlemen opposite in general. I see before me at this moment many who have honestly, manfully, and ably fought the battle, and who have conducted the warfare in such a temper as befitted the solemnity of the task—for in that part of his speech I quite agree with the right hon. Gentleman—and the high position which they hold. But with respect to those Amendments I cannot help saying a word. I am not sure in what degree the right hon. Gentleman had himself made a financial study of his own Amendments; but when they appeared in such formidable magnitude and volume, I did endeavour to make the best calculation in my power of the compensations of misfortune—the *solatia victis* which the right hon. Gentleman proposed to administer to the Irish Established Church; and, putting together his fourteen years' purchase of one thing, his four years' purchase of another, and the various grants and largesses which he scattered with a liberal hand, I found the result to be this—that the disendowment of the Irish Church was to end in leaving that institution in possession of a somewhat larger mass of property than that which she now holds. It appears that the right hon. Gentleman had borne in mind the history of the Patriarch Job. We all remember how the narrative of the life and sufferings of that excellent man commence with a touching account of his disendowment and of the admirable courage with which it was endured; and how the narrative cheerily ends with an announcement that in the close of his life he had more stock and greater possessions than ever. That, Sir, was the precise example, the very model upon which the right hon. Gentleman framed his Amendments; and the disendowed and disestablished Church, which is now the richest Church in the world with reference to its numbers and the work it has to do, would have been richer still if the benevolent designs of the right hon. Gentleman had happily taken effect. Under these circumstances, the right hon. Gentleman's powers of surprise and astonishment are as remarkable as his powers of rhetoric and description; and therefore, if he was surprised at our indisposition to admit these Amendments, I must not express any similar sentiment at his declaration; but I must say that, viewing this matter as a matter of plain prose, and not according to high flights of rhetoric, it appears to me that such a mode of conducting the process of disendowment would be neither intelligible nor satisfactory to the people of this country.

This is evidently the time when if it is unnecessary, as I trust it is, to detain the House with a laboured review of the arguments in this case, yet it is desirable and perhaps essential to have some regard to the actual position in which we stand, to the progress we have made in a great journey, and to the distance which still remains to be accomplished. We have seen presented to-night amid signs of exultation — though I do not know whether they amount to the loud and long-continued cheering for which the right hon. Gentleman appears to entertain a contempt—Petitions from various quarters, and we hear daily of meetings in this and that part of the country. [*Cheers.*] It is confidently hoped, as appears from the cheers of some Gentlemen as I speak, and from what is stated by the organs of the party, that the people of England have entirely changed their minds since they elected their representatives, and that if there could only now be another Dissolution the result would be favourable to the Established Church in Ireland. Sir, as long as there is freedom of speech and action in this country — and God forbid that the day should ever come when that freedom shall be restricted! —there will always be, especially upon questions of this kind, minorities with numbers and power sufficient to present Petitions in respectable numbers, and to hold meetings which by a sanguine reporter may be even described as well attended. But, without the slightest disrespect to those meetings or those Petitions—acceding at once to the most liberal estimate that any Gentleman opposite may be disposed to frame, I wish to point out that the majority returned to Parliament a few months ago are not under the same necessity either of holding meetings or of subscribing Petitions as those who unfortunately belong to the minority. I apprehend it is a doctrine of the Constitution that in this House the voice of the people is spoken; and if the doctrine can be more indisputable at one period than it is at another, it must be the most clear and commanding in its force, of all times at this time, when we come here fresh from contact with our constituents, and when the main issue upon which we came had been placed before those constituents with a clearness and amplitude almost unexampled. Therefore, hon. Gentlemen opposite will not be surprised if we are sceptical with respect to the re-action of which they take for themselves so encouraging a view. Again, we are, I think, entirely impervious to the reproach that it is by truckling to the Roman Catholic vote, or by chaffering for its attainment, that we have placed this matter in its present position. I can remember well declarations of Leaders on the opposite side with respect to the Roman Catholic vote. I think, indeed, I can recollect a declaration of Lord Derby pointing out which of the two parties in this country was the natural ally of the Roman Catholics, which appears to show that there was some small appreciation of the Roman Catholic vote in those quarters at a time when it was to be had. But, I say, let every Roman Catholic Gentleman, if he be so disposed —and God forbid I should question his right to perfect and absolute equality with us—walk into the Lobby of the House when we are about to take our division on the question, and the Bill will still be carried by a majority of Protestant voices alone, greater perhaps than has carried any contested measure since the Reform Bill of 1832.

My right hon. Friend the Member for North Staffordshire (Mr. Adderley), I would now proceed to say, spoke at a time when the House was very thin, and for his sake, as well as for the sake of the House, I regret that such was the case, because I was much edified and in some degree entertained—the House, I think, would have shared those sentiments — when I heard my right hon. Friend go over the cases of the colonies of this country to show that what took place in Jamaica, in Canada, and elsewhere were not proceedings in the direction of disendowment but rather in the direction of Establishment of Churches. That point, however, is not perhaps so material as that which I wish now to mention. My right hon. Friend was severe on the voting in Committee on this Bill. He said that hon. Members on this side of the House have shown a fastidious and excessive attachment to the pledges which they gave at the late elections— that is to say, that they have in his opinion over-construed and exaggerated the obligations which they then contracted, and he thought it was owing to this mistaken proceeding on their part that they have supported by such large majorities the general propositions contained in the Bill in all its most important clauses. But I would venture to suggest to him that there is another cause which may possibly have some connection with this comparative uniformity of voting. Let my right hon. Friend only for a moment set out on the hypothesis — in order to test the phenomenon of which he speaks—that

Gentlemen sitting on these Benches are deeply in earnest in this matter, and intend, so far as depends upon them, that the end which we have in view shall be attained. I think my right hon. Friend will find in that hypothesis a more natural and probable cause of the manner in which union of sentiment has prevailed among us on this great question than in the explanation which he himself has suggested—the fastidious exaggeration of obligations incurred on the hustings.

We are, I apprehend, aware of that which the right hon. Gentleman (Mr. Disraeli) has told us—that this is a great and solemn work which we have taken in hand, and that it is hardly possible to exaggerate the temerity, the responsibility, or the guilt of those who, having come to the determination that such a work ought to be accomplished, then through levity or folly, or any pursuit of minor objects in themselves good, but tending, to the prejudice of the major object, should allow that work to fail. I think I need not ask my right hon. Friend whether he is not perfectly aware that in connection with the future progress of this measure in "another place" nothing can be so important towards securing the full effectuation of the wishes and desires of the nation in regard to it as the manner in which the House of Commons has shown its own unity of purpose and determination? I cannot help saying—and I trust I am not giving offence by saying it—that even the majorities by which the various stages of this Bill and many of its clauses in Committee have been carried do not adequately represent the relative strength of the sentiment which propels it towards its final accomplishment. And for this reason—Those who support this Bill, so far as I know, have this advantage, that they are completely agreed in a positive policy on this great national question. We have one and all come to the conclusion that it is requisite that the Established Church in Ireland should cease to exist as an Establishment. That is an intelligible and, above all, a substantial proposition, and the question I now wish to ask is, is there any corresponding substantive proposition on which hon. Gentlemen opposite are similarly agreed? [Mr. NEWDEGATE: How can there be?] I entirely agree with the hon. Gentleman, and I tell him why. Because he, for one, representing an important phase of opinion, totally differs in views and sentiments from those who sit on the Bench before me. The hon. Member for North Warwickshire (Mr. Newdegate) is one of those who proposed to maintain the existing ecclesiastical arrangements of Ireland, subject of course to internal reforms. Of course if I am misrepresenting him I withdraw what I have said; but, at all events, I think he does not propose to endow the Roman Catholic Church in Ireland. If I am mistaken in that assumption—if the hon. Member is of opinion that a large and handsome endowment ought to be given to the Roman Catholics in Ireland out of the Consolidated Fund in order to establish perfect religious equality, then I must apologize to him for having entirely misapprehended him. But, at any rate, it is well known that there are many hon. Gentlemen on that side of the House who will not shrink from the avowal that they represent what is called the pure Protestant sentiment of Ireland; and it will be recollected by them as well as by us, that in the great meetings in Ireland the plan of endowing the Roman Catholic Church in Ireland has been distinctly and emphatically condemned, and there are many hon. Members who hold that opinion sitting on the opposite side. But how is that opinion represented on the Bench before me? What is the sense of the right hon. Member for Buckinghamshire (Mr. Disraeli) upon this subject, and what did he say with reference to his determination to resist any attempt to procure an endowment for Popery. I did not hear that portion of his speech, in consequence, perhaps, of some physical infirmity, neither have I heard any speech to that effect from him for many years past. What did the right hon. Gentleman the Member for Dublin University (Dr. Ball) who has so well and so gallantly done his duty in opposition to the Bill, but who, like a man, never concealed for a moment his belief that liberal arrangements with regard to the other religious bodies must be made if the Established Church was to be maintained. What said my right hon. Friend the Member for North Staffordshire? He said,—"I don't find fault with you for saying that the whole distribution of ecclesiastical property in Ireland must be altered; but what I condemn is that you are taking away the religious endowments from the support of religion at large." Therefore I say that while with perfect consistency and sincerity hon. Gentlemen who sit opposite can combine perfectly well together for the purpose of resisting the substantial policy of Her Majesty's Government, they have no substantive policy of their own, and, indeed, as the hon. Member for North Warwickshire says, they cannot have any possible concurrence upon any measure whatever, for the simple reason that they are not agreed as to the manner in which the ecclesiastical affairs of Ireland ought to be arranged. [Mr. NEWDEGATE: I never made that assertion.] I charge upon the hon. Member no assertion whatever. I shall be cautious in attributing to him anything with reference to the Irish Church beyond what he has conveyed by his interjectional question—" How can there be ?"

Now, with reference to the Bill before the House, we have endeavoured honestly and laboriously to fulfil the pledges which we gave, and to attain the ends which we thought such a measure ought to be framed to meet; in the first place to disestablish the Irish Church; in the second place to give effect to the general rule of disendowment; thirdly, to give an equitable consideration to the interest of persons and of classes; and fourthly, to save all strictly vested interests. The right hon. Gentleman, in his speech, which by no means abounded in hard words, used the expression that the measure now before the House was harsh in conception, and arrogant in execution. I am not sure how I am to understand those epithets; but I take them as simply implying condemnation. I will just point out how far from being just such a description is of the temper in which this measure has been framed, or of the manner in which effect has been given to it by the votes of this House. We have proposed to give to the Established Church of Ireland when disestablished everything in the nature of a private endowment within the last 200 and more years, and to pay the expenses for that religious body for ascertaining the titles which they can discover and make good. No one on the opposite side has thought fit to observe in the way of justice, and no one on this side has even observed in the way of captious criticism that, in that proposal, we have gone far beyond anything that was stated in the last Parliament. I am not aware that in those speeches which have been constantly referred to for the purpose of binding us to some general phrase of the widest limit in the most stringent sense it could receive in favour of the Established Church, that the least notice has ever been taken of this. I own that at that time it had not appeared to me that we could fairly ask the House to go as far as we have asked them to go, and as the House has agreed to go, in recognition of these private endowments. I say that it is a great act of liberality to admit that for more than 200 years past all that has been given to a national religion has been given to it in the same sense and manner as if it had been given to the unrecognized and private sect. Much of what is given to a national Church is given, undoubtedly, because of its national character, and not on account of any particular preference of the giver for its doctrines or discipline. [" Oh, oh!"] If any hon. Gentleman doubts that I am sure it must be because he has never given his mind to the examination of these matters in detail. There cannot possibly be a better example than the case of Scotland. I ask whether any man in this House, who knows Scotland, supposes for one moment that the donations which the Established Presbyterian Church has received within this last fifty years have been given by persons on account of the value which they placed on its religious opinions, or whether, on the contrary, it is not notorious that a large portion of it has been given to it because it was the established religion of the country. I only quote this particular case because I cannot accede and cannot bow to the censures which are bestowed on this measure with respect to the spirit in which it has been framed; and I must respectfully take leave to say that, while I am aware there is much of stringency and much of severity in the very words disestablishment and disendowment, and while we have not felt ourselves at liberty to shrink from giving full and fair effect to those words, yet so far as we did find ourselves free to mitigate in detail the application of our principle, that is an object which we have kept steadily in view.

There is another matter in which we have most seriously laboured, and that is to consider what are our obligations to the Church now about to be disestablished, with reference to its future condition. We might have adopted provisions in the Bill—I take no credit for not having done it—but we might have adopted provisions which, while simply recognizing the proprietary rights of individuals, would have gone far to drive the body at once into a state of anarchy and dissolution. The clauses relating to the mode of fixing the compensations, those fixing the provisions for commutation, and those relating to the laws by which the religious communion will be governed until it shall have had time to consider its position and to modify them according to its altered circumstances, will, I think, bear some testimony in the face of impartial observers, to our sincere and even ardent desire that this great change should be attended with as little shock as possible. We desired that it should be effected, not like the overthrow of a building, but like the launch of some goodly ship, which, constructed on the shore, makes, indeed, a great transition when it passes into the waters, but yet makes that transition without loss of its equilibrium, and when it has arrived at that receptacle floats on its bosom calmly, and even majestically. [*A laugh.*] And if the hon. Gentleman thinks fit to meet with laughter that declaration, I say that I am not using the language of romance, which sometimes perhaps, may be heard even in this House, but I am using words which the most rigid observer and describer would admit to be applicable to cases like that which has been so frequently mentioned and so much discussed in the course of these debates—the case of the Free Church of Scotland, to whose moral attitude scarcely any word weaker or lower than that of majesty would, according to the spirit of historical criticism, be justly applicable.

At this hour of the night I will avoid entering into the general argument. But this I must say, that of the reproaches which have been used on the other side of the House, I feel but little such as have been directed against us. It is quite natural that strong words and hard words should be uttered against those who submit to Parliament projects of extended and of radical change, however the projectors of those plans may think them founded on and warranted by justice and necessity. And, therefore, I do not for a moment complain, even when the hon. Gentleman who moved the Amendment (Mr. Holt) describes the policy that we recommend and pursue as "a denial of God." Undoubtedly those are very strong and very hard words, but I think it is our duty to pass them by, having regard to the circumstances of excitement—I do not mean of personal or of momentary excitement, but of political excitement—under which they were uttered. But there has been another description of reproaches in which hon. Members opposite have been exceedingly unjust; and they are the reproaches which—if I may say so—they have uttered against themselves—not against themselves personally, but against those whom they represent, especially in Ireland. I think that the most severe and unjust reproach they can make is when they describe—as the hon. Gentleman the Member for Londonderry (Sir Frederick Heygate) described to-night—the indisposition of the Protestants of Ireland to support their Church without the aid of the State. That hon. Member likewise addressed unfortunately a very thin House, and I will, speaking in his presence, mention to the House the manner in which he disposed of the argument, often urged on this side of the House, that the Irish Church might subsist hereafter on the voluntary system. The hon. Baronet, I am bound to say, began by saying that, so far as regarded all these aids which we have thought not without value—namely, the provision for a whole generation of clergymen, for churches, glebe houses, and the rest—he attached to them no value whatever. We had been told that seven-eighths, or as Chief Justice Whiteside said, thirteen-fourteenths, of the land of Ireland is in the hands of those who belong to the Irish Church. Well, considering that the land of Ireland contains the great mass of the property of that country, it does appear to me that some small presumption arose that something at least could be done for the maintenance of the religious communion to which the owners of that land belong. How did the hon. Member for Londonderry repel that argument? He said, "I divide these landlords into three classes. The first are those who are indifferent, and they, of course, will do nothing. The second are the absentee proprietors, and they, too, will naturally do nothing. The third are the smaller and generally resident proprietors, and they, too, will naturally do nothing." Yes, that is the conclusion to which the hon. Gentleman came, and I am about to state the reasons which these gentlemen are going to urge. The indifferent are not to urge any reason at all. The absentee proprietors, what are they to say? The Church Body are to knock at their door, and ask for a Banknote for the support of the Church and the plea which the absentee proprietors are to urge is that the agitation about their land is so dangerous that they are occupied in considering their own position, and cannot consider that of the Church, and that they could do nothing. When he came to the resident proprietors he said that they would be in the same condition. They would say that the tenure of landed property in Ireland had been so undermined in value that even the actual rents they were receiving had lost their value, and that their fears for the future had cancelled their obligations for the present. And, therefore, this universal blank is to be the result of the application to the owners of seven-eighths of the land to do something towards the support of their own Church, at the moment when the cotters upon their own property were dividing almost their last potatoe with the parish priest. I think that the severity of the reproach is hardly to be exaggerated. I know not how it may appear to others; but I own, for my part, I believe that we are deeply responsible for having created, by errors long persisted in, that artificial state of mind and sentiment which can alone account for the extraordinary propositions that we hear in discussions on this subject by men, not only of character and honour, but also of sense, judgment, and ability. Again, when we hear Gentlemen saying, not very often in this House, but at meetings which we are told are influential and commanding —when we are told that for Protestants to give up their special privileges is intolerable, and that equality of right enacted by law is a great grievance which would even justify, we are sometimes told, armed resistance—that it is quite true that the Protestants of Ireland have been loyal, but that the last day of their privileges will be the last day of their loyalty — I say that all these declarations are the spawn of an unhealthy state of things; that the morbid condition which is sometimes attributed to the occupier of the soil is not confined to that class of Irish society; and that unnatural exaltation and ascendancy are just as fatal to the balance of the human mind as unjust depression; and depend upon that it will require very little time for all these clouds of error to clear away, and for the manful and intelligent Protestants of Ireland to assume those responsibilities which others less competent have shown themselves willing and able to bear, and that they will be the first to acknowledge the fallacy of the prophecies in which they themselves have, perhaps, not unnaturally indulged.

Sir, we have arrived at a point at which we have little to do but to consider the manner in which we have discharged the duties of our stewardship, and in which others will discharge theirs. Up to this moment, we, the Commons in Parliament, have stood face to face with the nation, and on the third reading of the Bill it is we who ought to ask ourselves whether we have endeavoured to quit ourselves like men of our obligations. We pass this Bill probably tonight, and then it will be the House of Lords, who, instead of the House of Commons, will stand face to face with the nation. I never presumed to complain of the course taken last year by the House of Lords with respect to the Suspensory Bill. It was an absolute duty on our part to avail ourselves of the disposition of the then existing Parliament to send forward that Bill, because that Bill redeemed our policy and proceedings from the charge of a vapouring insincerity, and showed that we meant what we said. But I could not feel surprised that the House of Lords declined, on the first application so made, and especially at a period when an appeal to the people was likely to occur at the earliest date, to commit themselves even to a qualified recognition of so great a change as that which we were known to contemplate. And having made no complaint of that exercise of power I will not for one moment be so unjust to the House of Lords as to suppose that it will upon this great occasion fail to discern its duty, fail to discern the just claims upon it of an emphatic declaration from the nation, fail to discern what is due on the one hand to the people of this kingdom and on the other to its own permanent dignity and utility as a great institution of the realm.

Now, Sir, there is one form of reproach often brought against us which I must emphatically though respectfully repel. It is often said that we for, if not unworthy, at any rate secondary purposes, have discarded higher principles. I read in a passage, I think in a recent episcopal charge, this expression—that we were pursuers of temporal expediency, and some contrast was attempted to be established between this temporal expediency and some higher principle we were supposed to surrender and forego. Sir, I know of and admit no such distinction. We are not pursuers of utility in any sense in which utility is distinguished from duty. The opposition is a false one. There is no such thing as utility in politics that is apart from duty. It is as a measure of duty and a measure of justice that we pray and trust this measure may stand or fall, and any other object or purpose we emphatically disclaim. What is it that we are doing? We have in Ireland at this moment the richest Church in the world. We are told, indeed, and I believe truly, that there remains but one-fifth of the original of what the Church property of Ireland would have been had none of it been wasted. Well, Sir, four-fifths of this property having disappeared without any charge of robbery, sacrilege, spoliation, or plunder, under the kind and friendly hands of those children of the Church who have had the exclusive management of its affairs, we now look this institution in the face, and we find that, even with its one-fifth, it is still the richest Church in the world; and in respect of its wealth, in respect of its Establishment—I do not for a moment hesitate to admit—under these aspects we seek to destroy it. Another fabric, I trust—another in respect at least to these particulars—will rise in its place—less adorned, undoubtedly, with the goods of this world, but separated also from the unjust privileges, separated from the false associations, separated from all those bitter memories and traditions which form the unhappy heritage of the Established Church in Ireland—memories, and traditions, and privileges, and associations, which, if we were to use the language of figure, it might not be wholly improper to describe as themselves the angels of the Evil One polluting by their presence the temple of the Most High. The right hon. Gentleman (Mr. Disraeli) said in a remarkable speech, delivered on a former occasion, he feared we were going to drive forth the Sacred Presence from the portals of the Constitution. No! The spirit we seek to expel is a spirit very different from that. We have endeavoured to impart no shock to the doctrine, the discipline, or ecclesiastical arrangements of the Established Church in Ireland. Her creeds, her orders, her mission stand entirely unimpaired. Dealing with her temporalities, we have striven to deal with them alone. We may even have a lingering sentiment of regret that she should be deprived of them in cases where any hardship may follow. But at the same time we feel that she will be for ever rid of alliances which have been fatal to her moral power as a national Establishment of religion. And setting aside those unhappy and evil auguries, in which many of her friends abound, we hope she will pass through the ordeal she has to endure, and come out of it with a clearer consciousness of her mission and a greater singleness of purpose for the fulfilment of her work, when she is separated from political associations. If that be so, although she may have much to forego in respect of temporal splendour, yet the day may come when it will be said of her, as was said of the later and smaller Temple of Jerusalem, that the glory of the latter house is greater than the glory of the former; and when the most loyal and faithful of her children will learn not to regret that the Parliament of England took courage to itself, and that the day at length arrived when the Irish Church was disestablished and disendowed.

Question put.

The House *divided*:—Ayes 361; Noes 247: Majority 114.

AYES.

Acland, T. D.
Adair, H. E.
Agar-Ellis, hon. L. G. F.
Akroyd, E.
Allen, W. S.
Amcotts, Col. W. C.
Anderson, G.
Anson, hon. A. H. A.
Anstruther, Sir R.
Antrobus, E.
Armitstead, G.
Ayrton, A. S.
Aytoun, R. S.
Backhouse, E.

Bagwell, J.
Baines, E.
Baker, R. B. W.
Barclay, A. C.
Barry, A. H. S.
Bass, M. A.
Baxter, W. E.
Bazley, T.
Beaumont, Capt. F.
Beaumont, H. F.
Beaumont, S. A.
Beaumont, W. B.
Bentall, E. H.
Biddulph, M.
Blake, J. A.
Blennerhassett, Sir R.
Bolckow, H. W. F.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bowring, E. A.
Brady, J.
Brand, rt. hon. H.
Brand, H. R.
Brassey, H. A.
Brassey, T.
Brewer, Dr.
Bright, rt. hon. J.
Bright, J. (Manchester)
Brinckman, Captain
Brogden, A.
Brown, A. H.
Bruce, Lord C.
Bruce, Lord E.
Bruce, rt. hon. H. A.
Bryan, G. L.
Buller, Sir E. M.
Bulwer, rt. hn. Sir H. L.
Burke, Viscount
Bury, Viscount
Butler-Johnstone, H. A.
Buxton, C.
Cadogan, hon. F. W.
Callan, P.
Campbell, H.
Candlish, J.
Cardwell, rt. hon. E.
Carington, hn. Cap. W.
Carnegie, hon. C.
Carter, Mr. Ald.
Cartwright, W. C.
Castlerosse, Viscount
Cave, T.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chadwick, D.
Chambers, M.
Chambers, T.
Childers, rt.hon.H.C.E.
Cholmeley, Captain
Cholmeley, Sir M.
Clay, J.
Clement, W. J.
Cogan, rt. hon. W. H. F.
Colebrooke, Sir T. E.
Coleridge, Sir J. D.
Collier, Sir R. P.
Colthurst, Sir G. C.
Corbally, M. E.
Cowen, J.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, Sir F.
Dalglish, R.
Dalrymple, D.
D'Arcey, M. P.
Davie, Sir H. R. F.
Davies, R.
Davison, J. R.
Delahunty, J.
De La Poer, E.
Denison, E.
Denman, hon. G.
Dent, J. D.
Devereux, R. J.
Dickinson, S. S.
Digby, K. T.
Dillwyn, L. L.
Dixon, G.
Dodds, J.
Dodson, J. G.
Dowse, R.
Duff, M. E. G.
Duff, R. W.
Dundas, F.
Edwardes, hon. Col. W.
Edwards, H.
Egerton, Capt. hon. F.
Ellice, E.
Enfield, Viscount
Ennis, J. J.
Erskine, Vice-Ad. J. E.
Esmonde, Sir J.
Ewing, A. O.
Ewing, H. E. C.
Eykyn, R.
Fagan, Captain
Fawcett, H.
Finnie, W.
FitzGerald, rt. hn. Lord O. A.
Fitzmaurice, Lord E.
FitzPatrick, rt. hn. J. W.
Fitzwilliam, hn. C. W. W.
Fitzwilliam, hon. H. W.
Fletcher, I.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, C.
Forster, rt. hon. W. E.
Fortescue, rt. hon. C. P.
Fortescue, hon. D. F.
Fothergill, R.
Fowler, W.
Gavin, Major
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goschen, rt. hon. G. J.
Gourley, E. T
Gower, hon. E. F. L.
Gower, Lord R.
Graham, W.
Gray, Sir J.
Gregory, W. H.
Greville, Captain
Grey, rt. hon. Sir G.
Grieve, J. J.
Grosvenor, Earl
Grosvenor, Lord R.
Grosvenor, Capt. R. W.
Grove, T. F.
Guest, M. J.
Hadfield, G.
Hamilton, E. W. T.
Hamilton, J. G. C.
Hanmer, Sir J.
Harcourt, W. G. G. V. V.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marquess of
Haviland-Burke, E.
Hay, Lord J.
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Herbert, H. A.
Hibbert, J. T.
Hoare, Sir H. A.
Hodgkinson, G.
Holms, J.
Horsman, rt. hon. E.
Hoskyns, C. Wren-
Howard, hon. C. W. G.
Howard, J.
Hughes, T.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Hyde, Lord
Illingworth, A.
James, H.
Jardine, R.
Jessel, G.
Johnston, A.
Johnstone, Sir H.
King, hon. P. J. L.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Kirk, W.
Knatchbull-Hugessen, E. H.
Lambert, N. G.
Lancaster, J.
Lawrence, J. C.
Lawrence, W.
Lawson, Sir W.
Layard, rt. hon. A. H.
Lea, T.
Leatham, E. A.
Lee, W.
Lefevre, G. J. S.
Lewis, J. D.
Lloyd, Sir T. D.
Loch, G.
Locke, J.
Lorne, Marquess of
Lowe, rt. hon. R.
Lush, Dr.
Lusk, A.
Lyttelton, hon. C. G.
M'Arthur, W.
M'Clean, J. R.
M'Clure, T.
M'Combie, W.
MacEvoy, E.
Macfie, R. A.
Mackintosh, E. W.
Maguire, J. F.
M'Lagan, P.
M'Laren, D.
M'Mahon, P.
Maitland, Sir A. C. R. G.
Magniac, C.
Marling, S. S.
Martin, C. W.
Martin, P. W.
Matheson, A.
Matthews, H.
Melly, G.
Merry, J.
Miall, E.
Milbank, F. A.
Miller, J.
Milton, Viscount
Mitchell, T. A.
Moncreiff, rt. hon. J.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
Moore, G. H.
Morgan, G. O.
Morley, S.
Morrison, W.
Mundella, A. J.
Muntz, P. H.
Murphy, N. D.
Nicholson, W.
Nicol, J. D.
North, F.
Norwood, C. M.
O'Brien, Sir P.
O'Conor, D. M.
O'Conor Don, The
O'Donoghue, The
Ogilvy, Sir J.
O'Loghlen, rt. hon. Sir C. M.
Onslow, G.
O'Reilly, M. W.
Otway, A. J.
Palmer, J. H.
Parker, C. S.
Pease, J. W.
Peel, A. W.
Pelham, Lord
Philips, R. N.
Pim, J.
Platt, J.
Playfair, L.
Plimsoll, S.
Pollard-Urquhart, W.
Portman, hon. W. H. B.
Potter, E.
Potter, T. B.
Power, J. T.
Price, W. E.
Price, W. P.
Ramsden, Sir J. W.
Rathbone, W.
Rebow, J. G.
Reed, C.
Richard, H.
Richards, E. M.
Robertson, D.
Roden, W. S.
Rothschild, Brn. L. N. de
Rothschild, Brn. M. A. de
Rothschild, N. M. de
Russell, A.
Russell, F. W.
Russell, H.
Russell, Sir W.
Rylands, P.
St. Aubyn, J.
St. Lawrence, Viscount
Salomons, Mr. Ald.
Samuda, J. D'A.
Samuelson, B.
Samuelson, H. B.
Sartoris, E. J.

Scott, Sir W.
Seely, C.
Shaw, R.
Shaw, W.
Sheridan, H. B.
Sherlock, D.
Sherriff, A. C.
Simeon, Sir J.
Simon, Mr. Serjeant
Smith, J. B.
Smith, T. E.
Stacpoole, W.
Stanley, hon. W. O.
Stansfeld, rt. hon. J.
Stapleton, J.
Stepney, Colonel
Stevenson, J. C.
Stone, W. H.
Strutt, hon. H.
Sullivan, rt. hon. E.
Sykes, Col. W. H.
Synan, E. J.
Talbot, C. R. M.
Taylor, P. A.
Tite, W.
Tollemache, hon. F. J.
Torrens, W. T. M‘C.
Tracy, hon. C. R. D. H.
Traill, G.
Trelawny, Sir J. S.
Trevelyan, G. O.

Vandeleur, Colonel
Verney, Sir H.
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, H. H.
Vivian, Cap. hn. J. C. W.
Walter, J.
Wedderburn, Sir D.
Weguelin, T. M.
Wells, W.
West, H. W.
Westhead, J. P. B.
Whatman, J.
Whitbread, S.
White, hon. Cap. C.
White, J.
Whitwell, J.
Whitworth, T.
Williams, D.
Williams, W.
Williamson, Sir H.
Willyams, E. W. B.
Wingfield, Sir C.
Winterbotham, H. S. P.
Woods, H.
Young, A. W.
Young, G.

TELLERS.

Glyn, G. G.
Adam, W. P.

NOES.

Adderley, rt. hon. C. B.
Allen, Major
Amphlett, R. P.
Annesley, hon. Col. H.
Archdall, Capt. M.
Arkwright, A. P.
Arkwright, R.
Assheton, R.
Bagge, Sir W.
Bailey, Sir J. R.
Ball, J. T.
Baring, T.
Barnett, H.
Barrington, Viscount
Barrow, W. H.
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Bective, Earl of
Bentinck, G. C.
Birley, H.
Booth, Sir R. G.
Bourke, hon. R.
Bourne, Colonel
Bright, R.
Briscoe, J. I.
Brise, Col. R.
Broadley, W. H. H.
Brodrick, hon. W.
Bruce, Sir H. H.
Bruen, H.
Buckley, Sir E.
Burrell, Sir P.
Cartwright, F.
Cave, rt. hon. S.
Cawley, C. E.

Cecil, Lord E. H. B. G.
Chaplin, H.
Charley, W. T.
Child, Sir S.
Clive, Col. hon. G. W.
Clowes, S. W.
Cole, Col. hon. H. A.
Collins, T.
Corbett, Colonel
Corrance, F. S.
Corry, rt. hon. H. T. L.
Courtenay, Viscount
Crichton, Viscount
Croft, Sir H. G. D.
Cross, R. A.
Cubitt, G.
Curzon, Viscount
Dalrymple, C.
Dalway, M. R.
Damer, Capt. Dawson-
Davenport, W. B.
Dawson, R. P.
De Grey, hon. T.
Denison, C. B.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Dowdeswell, W. E.
Drax, J. S. W. S. E.
Duncombe, hon. Col.
Du Pre, C. G.
Dyott, Col. R.
Eastwick, E. B.
Eaton, H. W.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, Sir P. G.
Egerton, hon. W.

Elcho, Lord
Elliot, G.
Elphinstone, Sir J. D. H.
Feilden, H. M.
Fellowes, E.
Fielden, J.
Figgins, J.
Finch, G. H.
Floyer, J.
Forde, Colonel
Forester, rt. hon. Gen.
Fowler, R. N.
Galway, Viscount
Garlies, Lord
Gilpin, Col.
Goldney, G.
Gooch, Sir D.
Gore, J. R. O.
Grant, Colonel hon. J.
Graves, S. R.
Gray, Lieut.-colonel
Greene, E.
Gregory, G. B.
Guest, A. E.
Gurney, rt. hon. R.
Hambro, C.
Hamilton, Lord C.
Hamilton, Lord G.
Hamilton, I. T.
Hamilton, Marquess of
Hardy, rt. hon. G.
Hardy, J.
Hardy, J. S.
Henley, rt. hon. J. W.
Henniker - Major, hon. J. M.
Henry, J. S.
Herbert, rt. hon. Gen. P.
Hermon, E.
Hervey, Lord A. H. C.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hick, J.
Hildyard, T. B. T.
Hill, A. S.
Hoare, P. M.
Holford, R. S.
Holmesdale, Viscount
Holt, J. M.
Hood, Captain hon. A. W. A. N.
Hope, A. J. B. B
Hornby, E. K.
Howes, E.
Hunt, rt. hon. G. W
Hutton, J.
Ingram, H. F. M.
Jackson, R. W.
Jervis, Colonel
Johnston, W.
Jones, J.
Kavanagh, A. MacM.
Kekewich, S. T.
Keown, W.
Knight, F. W.
Knightley, Sir R.
Knox. Hon. Col. S.
Lacon, Sir E. H. K.
Laird, J.
Langton, W. H. P. G.
Laslett, W.
Lefroy, A.

Legh, Lt. Col. G. C.
Legh, W. J.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C. P.
Liddell, hon. H. G.
Lindsay, Hon. Col. C.
Lindsay, Col. R. L.
Lopes, H. C.
Lopes, Sir M.
Lowther, J.
Lowther, W.
Malcolm, J. W.
Manners, Lord G. J.
Manners, rt. hn. Lord J.
March, Earl of
Mellor, T. W.
Meyrick, T.
Milles, hon. G. W.
Mills, C. H.
Mitford, W. T.
Montagu, rt. hn. Lord R.
Montgomery, Sir G. G.
Morgan, C. O.
Morgan, hon Major
Mowbray, rt. hon. J. R.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
North, Colonel
Northcote, rt. hon. Sir S. H.
O'Neill, hon. E.
Paget, R. H.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Palmer, Sir R.
Parker, Major W.
Patten, rt. hon. Col. W.
Peek, H. W.
Pell, A.
Pemberton, E. L.
Percy, Earl
Phipps, C. P.
Powell, W.
Raikes, H. C.
Read, C. S.
Ridley, M. W.
Round, J.
Royston, Viscount
Sandon, Viscount
Saunderson, E.
Sclater-Booth, G.
Scourfield, J. H.
Selwin - Ibbetson, Sir H. J.
Seymour, G. H.
Shirley, S. E.
Sidebottom, J.
Simonds, W. B.
Smith, A.
Smith, F. C.
Smith, R.
Smith, S. G.
Smith, W. H.
Somerset, Colonel
Stanley, Hon. F.
Stanley, Lord
Starkie, J. P. C.
Stopford, S. G.
Stronge, Sir J. M.
Sturt, H. G.

Sturt, Lt. Col. N.
Sykes, C.
Talbot, J. G.
Taylor, rt. hon. Col.
Thynne, Lord H. F.
Tipping, W.
Tollemache, J.
Trevor, Lord A. E. H.
Turner, C.
Turnor, E.
Vance, J.
Verner, E. W.
Vickers, S.
Walker, Major G. G.
Walpole, hon. F.
Walpole, rt. hon. S. H.
Walsh, hon. A.
Waterhouse, S.
Welby, W. E.
Wethered, T. O.
Wheelhouse, W. S. J.
Whitmore, H.
Williams, C. H.
Williams, F. M.
Wilmot, H.
Winn, R.
Wise, H. C.
Wright, Colonel
Wyndham, hon. P.
Wynn, Sir W. W.
Wynn, C. W. W.

TELLERS.
Noel, G. J.
Dyke, W. H.

Main Question put, and *agreed to.*

Bill read the third time, and *passed.*

JOINT STOCK COMPANIES ARRANGEMENT BILL.

On Motion of Mr. Henry B. Sheridan, Bill to facilitate Compromises and Arrangements between Creditors and Shareholders of Joint Stock Companies in Liquidation, *ordered* to be brought in by Mr. Henry B. Sheridan and Mr. Serjeant Simon.

Bill *presented,* and read the first time. [Bill 140.]

House adjourned at a quarter before Two o'clock

HOUSE OF LORDS,

Tuesday, 1st June, 1869.

MINUTES.]—Public Bills—*First Reading*—Evidence Amendment * (110); Irish Church * (109).

Second Reading—Stannaries (98).

STANNARIES BILL—(No. 98.)

(*The Lord Portman.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Lord PORTMAN, in moving that the Bill be now read the second time, said, its object was to amend the law relating to mining in Cornwall and to facilitate arrangements for working the existing system. The distress which existed in the mining districts of Cornwall, and which had led to the emigration of a considerable number of miners, had induced the consideration of a variety of remedies with a view of re-invigorating the mining interest. This measure is one of them, and as the Cornishmen know well what is best for their interest, and earnestly support this Bill, he (Lord Portman) could safely advise their Lordships to pass it. It was only due to the inhabitants of that great county to state that, in spite of the great pressure to which they had been subjected, they had refused to solicit any extraneous aid, and had, within their own borders, raised all the funds necessary to meet the emergency. They were, therefore, entitled to the utmost consideration of Parliament, and they looked forward with hope to the future on account of having discovered a means of working the ore more cheaply, and of having also discovered large lodes of tin where it could least have been expected—for hitherto tin had been found above the copper; but, the latter having been worked through, tin had been found below it, and was likely to prove exceedingly valuable. It had seemed desirable that there should be greater facilities given for improving the "cost-book" system, being that by which the mines were principally worked. Under this system a body of neighbours put their funds together and worked a mine at their own expense, the accounts being adjusted at monthly or quarterly meetings; but in course of time, many of those shares had become the property of persons living in all parts of the world, rendering it very difficult to enforce the calls which were necessary for the working of the mine. Moreover, whereas formerly sixteen shares was the usual number, and latterly 200 had not been unfrequent, now 6,000 or 7,000 are more usual, and the holders are scattered all over the world. It was, therefore, proposed to apply the Law of Partnership in such a way as would facilitate the working of the "cost-book" system. The latter part of the Bill had been suggested by the Vice Warden of the Court of Stannaries, Mr. Smirke, who deserved great credit for the pains he had taken to carry on the business of the court in a most satisfactory manner. He (Lord Portman) could have wished that the Bill had been placed in the hands of one of the Law Lords, who would have better understood the subject than he could pretend to do. But he had taken the responsibility as the Cornish mine-owners desired him, as Warden of the Stannaries, so to do. He would readily attend to any suggestion that may be made to him prior to the going into Committee.

Motion *agreed to;* Bill read 2ª, and *committed* to a *Committee* of the Whole House on Tuesday next.

OFFICE OF UNDER SECRETARY TO THE LORD LIEUTENANT.—QUESTION.

THE EARL OF LONGFORD, pursuant to notice, asked if the recent appointment of Under Secretary to the Lord Lieutenant of Ireland had been made as a permanent appointment, and whether a military commission was held to be a disqualification for the office? Doubts had been expressed as to the propriety of making this a permanent appointment, and his Question was therefore put merely with the view of obtaining information, and not with any intention of raising a discussion on Irish affairs generally, or of raising any objection to the appointment that had recently been made. His second Question, however — whether a military commission was held to be a disqualification for the office—required some words of explanation. The late Government, not long before their resignation of Office, nominated the late Sir Edward Wetherall to the post in question—an appointment very creditable to themselves, and entirely for the public interest. It did not, however, suit the views of a noisy party in Dublin, who loudly cavilled against it; and the present Government on coming into Office adopted the unfavourable view of the appointment then in circulation. He would not say, indeed, that they acted at all in concert with the gentlemen to whom he had alluded, but their sympathies apparently took the same direction. Earl Spencer, the new Lord Lieutenant, on arriving at Dublin, frankly told Sir Edward that it was under the consideration of the Government whether his appointment should be recognized. The Chief Secretary for Ireland, however, took another course; for, without any intimation to Sir Edward, with whom he was at the time in daily communication, he opened a correspondence with the Commander-in-Chief, with the view of obtaining military employment for him—even suggesting a command in India as a convenient solution of the difficulty, since it would remove Sir Edward Wetherall from Dublin, and would leave the office at the disposal of the Government. This would have been governing Ireland according to Irish ideas; for nothing could be more in accordance with ideas than the creation of vacancies for the purpose of filling them up with political friends. He doubted, however, whether their Lordships would altogether approve such a principle—indeed it would only be a parallel case if the Under Secretary at the Home Office were promoted by surprise to the judicial bench at Hong Kong. The Commander-in-Chief had, at the time, no means of making the arrangement suggested, and nothing further was done; but the local press and those who inspired it continued to express their disapproval of Sir Edward's continuance in Office. In March the Government, having an opportunity of giving their opinion, stated that the appointment had been regularly made by their predecessors, who were quite competent to make it; adding, however, that two serious errors of judgment had been committed — one in the time of making the appointment, the other in the selection of a military officer—and that they consequently held themselves free to provide some other employment for Sir Edward, and call upon him to accept it. The Chief Secretary, on behalf of the Government, spoke in complimentary terms of Sir Edward Wetherall, regarding him as quite blameless, and as innocently placed in a false position —though it was difficult to understand how a gentleman who had been regularly appointed, and who was competent for the office, could be described as occupying a false position. The Chief Secretary further stated that nothing had occurred prejudicial to Sir Edward Wetherall's character or unworthy of his high reputation—a remark in which he (the Earl of Longford) quite agreed; but he doubted whether as much could be said of all the other parties concerned in this business. The present Government, it seemed to him, had imported into it quite as many blunders as those they charged on their predecessors; for, if they had not dealt with it in a party spirit, they had so dealt with it as to render it difficult to distinguish between their action in the matter and a pure party proceeding. When an office of this kind was regularly filled up and the appointment completed, the person appointed ought to have as much title to permanency as any Judge on the Bench. Again, it was but just that the holder of such an office should look with confidence for the support of his superiors in any emergency; whereas Sir Edward Wetherall was left to discharge the duties of an important post under notice to quit, leaving the impression that if any difficulty arose he would receive but slender support. He did not say that the Government would have left him in the lurch, but, from the language of the Government, those with whom he was dealing had that impression. It was not judicious, moreover, to offer a gratuitous affront to all the members of an honourable profession by pronouncing a military officer of Sir Edward Wetherall's capacity unfit for the office. Military men were not disposed to listen patiently to the assertion that they were disqualified for an office which had frequently been held by members of their profession. They could not claim any appointment outside their commission; but they did claim that they should not be pronounced ineligible for appointments for which they had hitherto been considered competent. He (Lord Longford) was ashamed to find himself even entering upon Sir Edward Wetherall's qualifications for such an office; but he might shortly mention that, in addition to a distinguished military career, during which he successfully directed several administrative departments, he had completed the two years course of study at the senior department at Sandhurst, and had lately resided for five years in Dublin, with an office in Dublin Castle almost as much of a civil as a military character, which constantly brought him into communication with the Government. This, at least, ought to have protected him from being represented as almost an incumbrance to the Irish Government. The Government having declared themselves at liberty to remove him—an intention which, if challenged, they might have carried out—he had refrained from bringing forward the question, lest he should precipitate an injustice to Sir Edward Wetherall and an injury to the public interest; but the calamity which had deprived himself and many others of so esteemed and valued a Friend had enabled him to call attention to this breach of the principles of good government and good faith, and to protest against its standing on record as a Ministerial statement that such an appointment was "a serious error of judgment."

LORD DUNSANY said, he did not question the right of Her Majesty's Government to make such appointments or such changes of appointments as they might think for the advantage of the public service; but he thought it would have been better had the Prime Minister acted on the maxim—"Do what is right, but do not give your reasons;" for it might turn out that though the thing done was right, the reasons given might be so unsatisfactory as to give rise to a suspicion of the motives; and, in this case, the reason given for disapproving the appointment — namely, that Sir Edward Wetherall was a military man —was so insufficient as naturally to excite suspicion of something behind. He would remind the House that among the many other qualifications a military man possessed for filling an office satisfactorily was, that he had learned both how to command and how to obey, and was, moreover, generally animated by a very strong sense of duty. It had been represented as undesirable to make a military appointment in Ireland; but, as an Irishman, he believed there was no more prominent trait in the Irish character than their military genius, and their liking for military appointments. The objection was the more strange, too, in this case, inasmuch as General Sir Thomas Larcom had filled this very office of Under Secretary for fifteen years, and another military man previously held it with the approbation of the whole Liberal party. People in Ireland, not accepting the alleged reason, naturally believed that a certain gentleman who was wholly unobjectionable, being, no doubt, a very capable man, was to be Sir Edward Wetherall's successor; and if asked the reason why, the answer was because he was a Roman Catholic. Now, he should be sorry to say that Roman Catholics ought not to be appointed to high offices in Ireland, for his nearest relations and some of his best friends were members of that Church; but this office was a very important one, as was shown by the common saying, which, like other sayings, though possibly exaggerated, contained much truth—"The Government of Ireland means Larcom and the police." Ireland was, to a great extent, governed by the Under Secretary, and this was a reason why a military man was the least objectionable, for he was not generally so much connected with a particular party as civilians; and, while knowing how to obey, there was one kind of obedience to which he was not much disposed—obedience not to lawful superiors, but to those who set up a claim to authority and control. It would be an objection to a man having the direction of the police, that he was, to a certain extent, in the hands, not of Her Majesty's Government, but of the Roman hierarchy, and an occasion might arise to-morrow—and it was very likely to arise in July — when impartiality, firmness, and moderation on the part of the police might save the country from much bloodshed. Some time ago there was a little election row in Dublin, the offenders being undergraduates and students at the University, and the police, after receiving considerable provocation, made an onslaught on them. This affair caused much discussion, and the remark was made that all the Dublin police were Roman Catholics. This was indeed the fact, though he would not say they were wanting in temper or discretion; but this instance showed how easily suspicion arose; and the police might be called upon to act in Orange demonstrations in the North—which no one deprecated more than himself—in which case the instructions issued by the Under Secretary, though perfectly proper, might lead to much misconception. In Ireland the authority of Lords Lieutenant and local magistrates had, to a great extent, been superseded, there remained only the action of the stipendiary magistrates and of the police, under the Under Secretary. He had no doubt the Government had appointed a very good man; but he regretted that they had contemplated the removal of so excellent an officer as Sir Edward Wetherall, though he would give them credit for having a better reason than that which they had given.

EARL GRANVILLE said, he objected to the statement of the noble Earl (the Earl of Longford) that it was usual to create vacancies in order to fill them with political friends. [The Earl of LONGFORD denied that he had said that.] The Government had adopted the usual course in this case; and it was competent for them, acting for the public good, to remove any officer. The noble Earl asked whether this appointment was a permanent one? He (Earl Granville) answered, yes, though not exactly in the sense understood by the noble Earl. The noble Earl had argued that the late much-regretted Under Secretary had the same right to his office that a Judge had; but for his own part he (Earl Granville) held any civil servant might for any grave reason be removed by a Minister of the Crown, acting on his own responsibility and for the public good. With regard to the noble Earl's second Question, whether a military commission was held to be a disqualification for holding this office, he had to say that it was certainly not a disqualification. The objection to the gentleman whose loss was so much to be regretted was that, although a most distinguished and gallant soldier and the son of a gallant soldier, he had not that knowledge of Irish civil business which made him fit for the particular office for which he was selected. Not a word had been said against his character or reputation as a soldier; but it was felt that one of the most difficult posts in Ireland required a person of great experience in civil administration, and not one who had chiefly devoted himself to the military profession. He had not before heard of the saying that "the Government of Ireland was Larcom and the police;" but he was quite sure that was not the right mode of governing Ireland, and that it was by other means than mere police administration that we must undertake to govern that country satisfactorily. There had been no better Under Secretaries than Colonel Drummond and Sir Thomas Larcom, both of whom were officers of Engineers—a corps from which a great number had been selected to fill civil offices—and both of them having been long employed in civil services in Ireland, were intimately acquainted with the country. The late lamented Under Secretary, on the other hand, had had no period of civil service, and though he should be sorry to disparage his merits as a soldier, the Government did not think him the proper person for a difficult civil position.

THE EARL OF DERBY said, he saw no reason to complain of the speech of the noble Earl (Earl Granville), or to object to the principle he had laid down—that, the office being in its nature a permanent one, it was not competent for the Government to dismiss the holder of it except for some cause of unfitness. That principle, however, ran counter to the proposition which he even now appeared inclined to support—that they would have been justified in setting aside the appointment, because the gallant officer had had no previous experience of civil business. In justice to his right hon. Friend who was at the time Chief Secretary (Colonel Wilson-Patten), he was bound to say there was a most anxious desire to appoint not only a person fully qualified, but a person against whom on political grounds no objection could be taken; indeed, one of the foremost men on the list of candidates was the very Mr. Burke who had since been appointed, and it was matter of serious consideration whether his claim should not be preferred even to Sir Edward Wetherall's. Immediately after his death a very prominent member of the Liberal party called on his right hon. Friend and said—"I hope from this time the question of Sir Edward Wetherall's competency will be entirely dropped and the case forgotten; because I am bound to say that, having since the appointment had constant means of communication with him, I never found a man with whom it was so satisfactory to deal, or who discharged the duties of his high office so entirely to the satisfaction not only of his friends but of his opponents." He did not feel at liberty to state the name; but this gentleman was a strong political opponent of the late Government. He thought the noble Earl had sufficiently answered the question as to the disqualification of military men for the office by a reference to Sir Thomas Larcom and Colonel Drummond; and he himself could go a little further back, for when Chief Secretary for Ireland the person who held the office of Under Secretary was Sir William Gosset. Indeed, the present was the first occasion since 1831 on which a civilian had been appointed.

Viscount HALIFAX: There was Sir Thomas Redington.

The Earl of DERBY said, there had at any rate been three military men who had in recent times held the office. He had felt it due to the memory of Sir Edward Wetherall to say thus much to show that he was not undeserving of the appointment, and that it was not made from political motives, but after due consideration, and with a desire to find not only the man most fitted but one to whom, in the event of a change of Government, which then appeared probable, the present Administration could not have the slightest reason for objecting.

Lord DE ROS felt bound to bear testimony to Sir Edward Wetherall's distinguished services, his career having commenced under his own command. The late Lord Hardinge, when appointed Chief Secretary, had had no experience of Irish affairs, but his natural ability for business very soon made him perfectly qualified, and no man could have discharged the office better.

REMOVAL OF MUNICIPAL MAGISTRATES.—QUESTION.

Earl GREY: On rising to ask my noble Friend the Secretary of State for the Colonies, Whether it is the intention of Her Majesty's Government, during the present Session, to submit to Parliament any measure to provide for removing from municipal offices, to which magisterial functions are attached, persons who may have been guilty of misconduct? I need hardly say that I have been influenced by what has recently occurred with regard to the late Mayor of Cork. Your Lordships will remember that this person had so conducted himself as to lead to an almost universal conviction in this country that he could not be allowed to retain his office, and in virtue of it administer the law as a magistrate, without great public scandal but the Government, sharing that genera conviction, found there was no way o meeting the scandal except by bringin in a Bill for the removal of Mr. O'Sulliva from his office. Now, I am not sure tha the passing of that Bill would not hav been almost a greater evil than the confessedly great evil of allowing him to retain office. Bills of Pains and Penaltie are in the highest degree objectionabl It is now above a century since any suc measure has been passed by Parliamen and I should have been sorry to see s bad a precedent revived; for we a know that a measure of that kin though passed for very strong reason is too apt to become a precedent, and that a bad precedent once established it has a tendency to become more and more frequent, and to lead to very great abuse. For that reason I was of opinion that to have recourse to a Bill of Pains and Penalties was in the highest degree dangerous to the liberties of the country. Fortunately the Government were saved from the great misfortune of having either to submit a Bill of Pains and Penalties, or to allow the late Mayor of Cork to remain in office, by his most properly and judiciously resigning the office which he held. Now, however, that the question is entirely disencumbered of all personal considerations, it appears to me to be desirable to consider whether some means should not be taken to prevent our being again placed in the position of having to choose between two such evils. There are several municipal offices the holding of which gives the right of acting as a magistrate, and those I believe are the only officers in the kingdom concerned in the administration of justice whom there is no recognized means of removing if guilty of misconduct. With regard to the highest judicial officers, the Judges of the land, an Address from both Houses of Parliament to the Crown affords a means of removing them; those who are put in the Commission of the Peace by the authority of the Crown can be removed by the same authority, if sufficient cause be shown; but those who become magistrates by election to municipal offices cannot be got rid of in either of those modes. The question may now be dealt with with perfect calmness and impartiality; and though an Address by both Houses of Parliament is far too cumbrous a machinery to be adopted—for it is not proper that the time of Parliament should be occupied with such matters—the Government may easily discover a plan which, without being open to abuse, would provide for the removal of magistrates guilty of grave misconduct.

THE LORD CHANCELLOR: I hope the noble Earl will not think it discourteous if I answer the Question which he has addressed to my noble Friend (the Secretary for the Colonies). It is impossible that such an event as that which has recently occurred should not have attracted the attention and consideration of the Government, and I am not surprised that the noble Earl should think it right to ask what are our intentions in the matter? Now, I believe that the old adage with reference to judicial administration is equally applicable to legislation—"Hard cases make bad law"—and a course of procedure founded on individual or even local instances of misconduct would be a system open to the same objection. It is not desirable to legislate upon the spur of any individual or local miscarriage which surpasses the usual limits for which the law has provided. I may cite an instance which will show that it is not desirable to act hastily in matters of this description. Some years ago, when the conspiracy of Orsini occurred, it was felt to be a gross abuse of the hospitality afforded by England to men of all countries, who are obliged from political causes to take refuge here, and there was a general feeling of indignation; the Government of the day shared in the general feeling, and their first suggestion was to bring a Bill intended to remedy the evil under the consideration of Parliament. It passed the first and second readings; but, after a very able address from a noble Earl (Earl Russell), the House of Commons thought it unadvisable to proceed with it, and to this day no measure has been passed on the subject. That was a case of individual, now take the case of local agitation. Only last night your Lordships were engaged in repealing Acts which were passed on the spur of local agitation and local alarm, when a great deal of excitement existed with regard to political offences. They were Acts of a very serious character, and it was singular that they should have remained so long unrepealed. We were rather taunted by the noble and learned Lord (Lord Cairns) for having put them in execution on an emergency which had occurred, though on the whole we thought it desirable that they should be repealed. This shows the desirableness of taking time to consider questions of this sort; and, without pledging the Government to propose any legislation, I may state that the subject will be deliberately considered. It is not altogether so simple a matter as the noble Earl seems to suppose. The noble Earl has correctly stated that the difficulty exists only in the case of persons who become magistrates by virtue of their being elected to a municipal office. Well, there is the great Corporation of the City of London, who have always had the right of electing its Aldermen, who thereupon become magistrates for life; and from the time of the Conquest downwards no occasion, as far as I am aware, has arisen for removing an Alderman for misconduct parallel to the case of the late Mayor of Cork. Under the Corporation Act, moreover, boroughs are entitled to elect mayors, who thereby become magistrates for their year of office and the ensuing year; and that Act has now been in force thirty-four years, and up to this recent case there has been no complaint of the working of the Act either in England or Ireland. This is, therefore, an individual and very exceptional case. We have to consider how far it would be desirable that these officers, elected by their fellow-townsmen, should be subject to control by the Crown, which control might create a not unreasonable jealousy on the part of the electors. A coroner, it is true, is subject to removal for misconduct; but that office is one of a peculiar character, and is distinct from the administration of justice, he being an officer of the Crown, though elected by the county. Under these circumstances the best course for the Government is to avoid hasty legislation, in consequence of one case of misconduct—for it would not be very acceptable to the various corporations that they should be dealt with in consequence of the misconduct of one eccentric individual—and to consider the matter maturely without reference to any individual.

The Earl of BANDON begged to remind their Lordships that this was not the late Mayor of Cork's first offence, he having been removed from the Commission of the Peace for refusing, when accused of having subscribed to Fenian funds, to offer any explanation. He was afterwards elected Mayor of Cork, where he repeated and aggravated his offence; for an advertisement appeared daily in some of the Irish newspapers appealing for subscriptions to be administered by Mr. O'Sullivan, as treasurer of the fund for the benefit of the Fenian prisoners. In this advertisement there was this passage—

> "We would also remind those who look upon the proposed disendowment of the Established Church as a boon, that according to the statement of the present Premier they are indebted to the Fenian movement for that tardy measure of justice."

For three months, during which Mr. O'Sullivan held the office of Mayor of Cork, the municipal business of that city was involved in the utmost confusion, and was conducted in the most improper manner; and since he had resigned that position he had been a party to this advertisement. What he particularly wished to press upon Her Majesty's Government was that language such as this was doing incalculable mischief in Ireland, and he wished to know whether they had disavowed the statements attributed to the Prime Minister. Mr. O'Sullivan had not been silent since his resignation. In a recent speech he had said—

> "Let any man look to the meaning of Mr. Bright's speech on the Irish Church question delivered within the last fortnight. What is the meaning of that speech? It is this—that the land of Ireland is to be handed over to the people of the country. [*Loud cries of* 'Hear, hear,' *and continued cheering*,] When Ministers in England give forth that opinion would I, I ask you, be an honest man if I for one moment stood in the way of the party who say that Ireland must be governed according to Irish ideas, that the Catholic must be master in his own land, and that there must be in Ireland no denomination either of race or creed."

People should not be allowed to put forward these statements as conveying the opinions of the Government unchecked. He might say that of all places in Ireland the City of Cork had the least reason for being disaffected. His conviction was that some power should be given to the Government to veto the election of certain persons to municipal offices, in order to prevent the chief cities of Ireland from being left to the mercy of any injudicious man who might happen to be appointed.

House adjourned at a quarter past
Six o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 1st June, 1869.

MINUTES.]—SUPPLY—*considered in Committee Resolution* [May 31] *reported* — Exchequer Bonds (£3,300,000).

PUBLIC BILLS — *Second Reading* — Poor Relief (Ireland) Act (1862) Amendment* [117]; Oxford University Statutes* [136].

Considered as amended — Beerhouses, &c.* [116-141].

Third Reading — Norfolk Island Bishopric* [104]; Customs and Inland Revenue Duties* [132], and *passed.*

CIVIL OFFICES PENSIONS BILL.

QUESTION.

MR. FAWCETT said, he would beg to ask the First Lord of the Treasury, Whether it will be possible for a person deriving a pension, either from the Indian or Colonial Revenues, at the same time to receive a pension under the Civil Offices Pensions Bill; and, if so, whether it is the intention of the Government to meet such a case by introducing a new Clause upon the Report of this Bill?

MR. GLADSTONE, in reply, said, his hon. Friend would perceive, from Clause 6 of the Bill, that its intention was to impose a stringent limitation upon the receipts of these political pensions. He did not think the restrictions in the Bill would apply to Indian and colonial pensions. He proposed, therefore, to re-consider the question, and to insert a clause which would be uniform in its application, as the circumstances connected with the two cases were entirely different. He begged, therefore, to move the postponement of the Order for Consideration till Monday next.

TAXES ON SERVANTS.—QUESTION.

VISCOUNT GALWAY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether, under the Customs and Inland Revenue Duties Bill, a farm servant living in the house of his employer will be liable to be taxed to the amount of fifteen shillings?

THE CHANCELLOR OF THE EXCHEQUER replied that living in the house made no difference. A farm servant or labourer employed solely in that capacity would not make his master liable to the tax by living in the house; but if he were employed in any of the capacities mentioned in the Bill the fact that he was a farm servant would not secure his master exemption.

VISCOUNT GALWAY said, he wished to ask, Whether the farm servant living in the House would become an under gardener if he were occasionally employed in the garden?

THE CHANCELLOR OF THE EXCHEQUER said, that point involved the question of skilled labour. If the man worked as a gardener his master would become liable; if he worked only as a labourer no liability would be incurred.

BRITISH COLUMBIA.

MOTION FOR PAPERS.

SIR HARRY VERNEY rose to call attention to the result of the negotiations of the Government with the Hudson's Bay Company and the Government of Canada. The most opposite accounts as to the value of the territories of that Company are to be found in the Papers presented to Parliament. In some it had been stated that the territory between Lake Superior and the Rocky Mountains consisted entirely of uninhabitable regions frozen during half the year, where cereals could not grow, and where settling, without costly protection, was impossible owing to the enmity of the Indians; but others, disinterested and conversant with the facts, stated that the country west of Lake Superior was likely to become of very high importance and value; that large portions of the district were very fertile and capable of producing cereals; and that the Indians were friendly, thanks to the fair dealing of the Company, and ready to work for adequate remuneration. The approach to the Rocky Mountains from Lake Superior was said to be excellent —travellers from the East could tell when they had reached the height of land between the Atlantic and the Pacific only by the flow of the water to the West, so gradual was the ascent, and it would be an easy thing to make land and water communication between Lake Superior and the Rocky Mountains. But as these points were in dispute he desired to have the authoritative statement of the Under Secretary for the Colonies upon them. Up to this time there had been a friendly feeling between the Hudson's Bay Company and the Indians, for both had the same interest, and both desired that the land should be the resort of the trapper and the hunter; but it was not certain that when Canadians and Americans and our own countrymen resorted there for the purpose of settling that the Indians would view the new-comers with favour. Arrangements ought to be made for respecting native rights, and regulating their legal position and dealings with the Europeans. It was certain that the Americans had an eye to the country. They had sent Commissioners thither, who had declared that out of the Hudson's Bay territory four or five first-class American States might be formed. It was also alleged that the Commissioners said that it was a country worth fighting for, and had made some offer which had been entertained by the authorities of the United States. If the favourable reports which had reached us were true, this vast territory might afford a solution of some of the difficulties which created anxiety among us from time to time. It was stated on high authority that there was land in this territory extensive and fertile enough to maintain a population as large as that of England and Wales, and that railway communication might easily be established. It was of great importance that encouragement should be given to the commerce of Europe and Asia passing through British territory; and he entertained a hope that we might yet see that country inhabited by an industrious, well-conducted population, which might spread the honour and the influence of England. There was a class of politicians who were of opinion that our colonies were of no value to us. To that opinion he could not subscribe. He held that they greatly enhanced our power, our influence, and our ability to do good to the world. Those who had never left their own home were little aware how affectionately the old country was viewed by some of those who had located themselves in America and other of our possessions, and how jealous these people were with regard to all that affected the honour and the welfare of this country. He entertained sanguine hopes that rapid communication might be established in a short time with Vancouver's Island and with British Columbia. That district contained a great amount of mineral wealth, but in the mining part sufficient food could not be grown for those who arrived there. On the one side of the Rocky Mountains, however, there were millions of acres which might be cultivated, and which would afford food to those who worked the mines to the west. He trusted the Government of Canada would take up this question in the way it ought to be viewed, and that the right hon. Gentleman the Under Secretary for the Colonies would be able to inform the House that the Parliament and Government of Canada, as well as the authorities of British Columbia and the Hudson's Bay Company had come to some agreement, so that those vast territories might be utilized. He begged to move for any Papers on the union of British Columbia with the Dominion of Canada.

MR. R. N. FOWLER, in seconding the Motion, said, he would take that opportunity of making an appeal on behalf of the Indians resident in the Hudson's Bay territory. The Hudson's Bay Company had never recognized the Indian title; but as they had never been a colonizing company, and had always discouraged colonization, that was not, practically, a point of great importance. The question now, however, was about to assume a different aspect; we were going to annex that country to Canada, and we all hoped that colonization would go on. Under these circumstances it was most important that the question affecting the Indians should be carefully considered both by the Home and Colonial Government. On this point he might quote Professor Hinde, who said that when he asked an Ojibbeway chief at the Lake of the Woods whether he would permit one of his tribe to guide him through a swampy district, said—"It is hard to deny your request; but we see how the Indians are treated far away. The white man comes, looks at their places, their trees, and their rivers; others soon follow; the lands of the Indians pass from their hands, and they have nowhere a home." Such was, he could not help thinking, a very natural feeling on the part of the Indian; looking at the way in which colonization had driven the Indians into the far West in other parts of the American continent. A Petition of Indian chiefs was presented to that House in 1860. The petitioners complained that the Hudson's Bay Company had sold their lands in the valley of the Red River and the Assiniboine, and they prayed the House to take the matter into its serious consideration; to "grant to them and their people the customary native title to their lands, and ordain facilities for conveying the same to each other, and to their children's children." The House had now an opportunity of answering that Petition. He earnestly hoped that before the negotiations which were now going on were terminated, Her Majesty's Government would make due provision for protecting the rights of the Indians. The question was not rendered difficult by there being a very large number of them. Sir George Simpson, in reply to a question put to him by a Committee of that House which sat in 1857, stated that his estimate of their number was 55,570. Since that period he understood there had been an emigration of Indians from the United States into the Hudson's Bay territory, and therefore the number might be further increased. The Duke of Buckingham, when Secretary of State, in conjunction with the right hon. Gentleman near him (Mr. Adderley), contemplated an equitable settlement of the Indian title. In a Paper dated the 1st of December last the Duke of Buckingham proposed that—

> "Such lands as Her Majesty's Government shall deem necessary to be set aside for the use of the native Indian population shall be reserved altogether from this arrangement, and the Company shall not be entitled to the payment of any share of receipts or any royalty therefrom or right of selection thereof, under previous articles; unless for such part, if any, of these lands as may be appropriated, with the consent of the Crown, to any other purpose than that of the benefit of the Indian natives."

Canada had always been honourably distinguished for the course it had taken towards the Indians, and he did not wish to speak as distrusting the kindly intentions of the Canadian Government. But in others of our colonies and colonial Parliaments he feared there had often been a disposition not to deal kindly towards the natives. He would appeal to the right hon. Gentleman (Mr. Monsell) to make provision for the protection of the Indians before the power over the Hudson's Bay territories passed altogether out of the hands of that House, as that was probably the last occasion on which the House would have an opportunity of discussing the affairs of the Hudson's Bay Company. On the 6th December, 1867, both Houses of the Canadian Parliament forwarded an Address to the Queen, in which they promise—

> "That upon the transference of the territories in question to the Canadian Government, the claims of the Indian tribes to compensation for lands required for purposes of settlement will be considered and settled in conformity with the equitable principles which have uniformly governed the British Crown in its dealings with the aborigines."

He hoped Her Majesty's Government and the Canadian Parliament would carry out the spirit of that address. On this subject he would read two extracts from a letter which had been written to him by Mr. Isbister, a gentleman who had long been connected with the Red River Settlement, but who now resided in this country, and was the head master of the Stationers' School. That gentleman was considered an authority on this question. He was examined as a witness before the Committee of 1857, and in a former debate he had been quoted as such by no less a person than the right hon. Gentleman opposite the First Minister of the Crown. Mr. Isbister said—

> "The fundamental principle in the history of the colonization of Canada is thus referred to in the Report of the Commissioners appointed to investigate the Indian affairs of the Province in 1847—'Although the Crown claims the territorial estate and eminent dominion in Canada, as in other of the older colonies, it has ever since its possession of the Province conceded to the Indians the right of occupancy upon their old hunting grounds, and a claim to compensation for its surrender, reserving to itself the exclusive privilege of treating with them for the surrender or purchase of any portions of the land. This is distinctly laid down in the Proclamation of 1763, and this principle has since been generally acknowledged, and rarely infringed upon by the Government.' The Proclamation here referred to, extending the sovereignty of Great Britain over Canada (so far as relates to the Indians) is as follows—and, considering the important results it has been the means of securing for the province, is well worthy of attention at the present juncture, when we are entering upon an experiment in colonization in many respects analogous to the early settlement of that great and prosperous colony:—'And we do further declare it to be our Royal will and pleasure, for the present as aforesaid, to reserve under our sovereignty, protection, and dominion, for the use of the said Indians, all the lands and territories lying to the westward of the source of the rivers which fall into the sea from the west and north west as aforesaid. And we do hereby strictly forbid, on pain of our displeasure, all our loving subjects from making any purchases or settlements whatever, or taking possession of the lands above reserved, without our special leave and license for that purpose.' What I would venture to suggest is, that the terms of

this Proclamation, or something equivalent to them, should be embodied in the Proclamation annexing the Hudson's Bay territory to Canada, in order that there should be no misunderstanding from the outset as to the principles on which the settlement and administration of the country are to proceed."

As the Indians could not protect themselves, he thought it was the duty of Her Majesty's Government to make such arrangements as would secure the rights and interests of these our fellow-subjects on the handing over of the Hudson's Bay territories to the Dominion of Canada. There was another point in connection with this matter—there was a large native population of Indian origin inhabiting these territories. They had not lost their sympathy with the Indian race, and might be made of great use in facilitating the new arrangements. He hoped Her Majesty's Government would endeavour to secure, in the negotiations that were going on, that ample reserves of land should be given to the Indian population.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House any Papers on the Union of British Columbia with the Dominion of Canada."—(*Sir Harry Verney.*)

Mr. SINCLAIR AYTOUN said, he did not believe, whatever ends might be answered by the negotiations between the Government and the Hudson's Bay Company, that they would produce any results beneficial to the people of this country. As to the acquisition of new territory, we had already more than enough territory to last us for 100 years to come in North America, Australia, and the Cape of Good Hope; and he believed that the opening up of new countries to colonization under those circumstances would only tend to increase the patronage of the Ministers of the Crown. He wished to know from the Under Secretary for the Colonies whether the Government had any intention to ask the House to sanction a guarantee of money to be raised by Canada for the purpose of purchasing the rights of the Hudson's Bay Company, or for in any way facilitating the changes which were to be effected; and, if so, whether the matter would be brought before the House before the Session had drawn towards its close? Of all the bad modes in which the public money could be disposed of, he thought guarantees were the very worst possible; and at a time, when they were receiving intelligence that the money raised under the Canada Loan Act of 1867, for the express purpose of being applied to the construction of the Intercolonial Railway, was being expended by the Canadian Government in paying the old debts of the Canadian Dominion, it became doubly important that the House should have timely intimation from the Government of any such intention as he had referred to being entertained by them, in order that hon. Members might be in their places to oppose any such proposal.

Mr. KINNAIRD said, he thought the hon. Gentleman seemed to be in perpetual terror of guarantees as applied to colonial interests. The real question before the House related to the state of the negotiations between the Hudson's Bay Company, the Government, and the Canadian Dominion, which was a matter of Imperial interest. He thanked the hon. Member for Falmouth (Mr. R. N. Fowler) for bringing forward the present position of the Indians, and, he must say, to the credit of the Hudson's Bay Company, that never in history was there a case in which the aborigines had been treated better, or in which more had been done in every way for their comfort than had been done by that company in a very inhospitable climate; and he earnestly hoped that the Colonial Office would take care that the Indians should not suffer by the proposed transfer of territory, and their condition not be deteriorated by it, but that ample reserves of land and proper protection would be secured to them. Referring to another point, the shortest route to China lay through North America; and we ought to remember what the United States were doing in that matter. They had now completed the new route from New York to San Francisco, and the journey could be completed in seven days and nights in the most comfortable manner, by means of sleeping cars, restaurants, &c., which were provided for passengers. He should like to inquire how we should have stood in regard to railways in India without guarantees? He hoped, therefore, that the Government of this country would sanction guarantees in order to develop the route referred to by the hon. Baronet the Member for Buckingham (Sir Harry Verney) and that they would not be deterred from doing so by the alarm of the hon. Member who had spoken last.

COLONEL SYKES said, he was much disposed to sympathize in the alarm of the hon. Member for Kirkcaldy (Mr. Aytoun) as to guarantees. We were now pledged to thirteen or fourteen guarantees and were obliged to pay the interest on some of them, the parties to whom those guarantees were given being unable to do so, and ultimately we might be obliged to pay the capital. The extension of the guarantee system was highly impolitic, mischievous, and contrary to the wishes of a great part of the people of this country. As to a short and direct route to China through the Rocky Mountains or through Canada, he was afraid the views of the hon. Member for Perth (Mr. Kinnaird) were a little visionary.

MR. B. SAMUELSON urged that it was impossible for them to be too jealous about guarantees, and submitted that the case of India could not be justly quoted as a precedent in the case under consideration. In India, our dominion being despotic, we were directly responsible for the good government and for the development of that country. But the case was altogether different in respect to any of our Anglo-Saxon colonies. The time had come when we ought to endeavour to free ourselves as much as possible from any expenditure on behalf of those colonies. They were well able to take care of themselves; and the labouring man out there earned a much larger income, with no more fatigue, than his fellow-subjects of the same grade in the mother country. The hon. Baronet (Sir Harry Verney) had given a very fair account of the country in respect of which we might be hereafter called upon to incur great expense. It appeared that we knew very little about the country, except that it contained a tract of fertile land about the size of these kingdoms. That of course could not be compared with the vast tracts of land which our own countrymen were cultivating in the Western States of America. The question which the hon. Baronet had brought forward might be extremely interesting to the Canadian Parliament or the Royal Geographical Society; but in his opinion the House of Commons ought not to give itself too much concern about it. The more we considered our position with regard to Canada, the more we should be led to hope that the bonds between Canada and this country might be still further loosened, and that Canada might ultimately become entirely independent of the mother country. We ought to be especially careful to keep clear of all difficulties in connection with Canada, not only on account of the proximity of that colony to the United States, but also because we had not found in our North American fellow-subjects any great disposition to be grateful for our interference with their affairs. Within the last few Sessions, Petitions had been presented from Nova Scotia to that House, and powerfully supported by the right hon. Gentleman the President of the Board of Trade, complaining that that colony had not been consulted on the subject of the consolidation of the Dominion of Canada. The prayer of those Petitions was supported by politicians of mark in the colony, and yet in a short time these very men turned completely round, and now approved the arrangements which were then entered into. We had, in fact, no sure means of ascertaining the real state of public opinion in the colonies, and therefore the less we meddled with questions of this kind the better. It was evident that our connection with Canada could only be a source of anxiety both to the Canadians and ourselves. In the event of a dispute with the United States, we should not be able to render the Canadians prompt and efficient assistance, and they would therefore have to bear the brunt of the contest. The mere attempt on our part, fruitless as it was, to defend Canada would involve an expense during the present year of £300,000 sterling, and if the cost of stores, the transport of troops, and all the items of the non-effective service were added, the total cost would be nearly double the amount he had mentioned. If war broke out between this country and the United States to-morrow, every soldier in the Dominion would probably be taken prisoner if he were not speedily withdrawn. He was glad the hon. Member for Kirkcaldy (Mr. Aytoun) had called attention to the possibility of our being called upon to give guarantees on behalf of some scheme of communication which might be hereafter proposed; and he trusted the right hon. Gentleman the Under Secretary for the Colonies would not only be able to give an assurance that nothing of the kind was intended, but that he would also be able to announce that it was the policy of the Government to withdraw as far as possible from all connection or interference with Canadian affairs. The hon. Gentleman who seconded the Motion (Mr. R. N. Fowler) wished this House to become a great Aborigines' Protection Society, and to provide that in any arrangement between the Hudson's Bay Company and the Dominion of Canada, reserves should be made for the Indians. But surely the result of our dealings with the natives at the Cape—in New Zealand—and elsewhere, was such as ought to make us extremely cautious in interfering in such matters. At all events the Dominion of Canada would be perfectly competent to take care that the Indians of the Hudson's Bay Company were properly protected. He hoped it would not go forth to those tribes that we were about to pledge ourselves to make war for their defence against the United States, or that we intended to interfere in any way with the measures which the Government of Canada might deem sufficient for their protection against those who settled within the territory. The main stream of emigration flowed to the United States, and in his opinion it would be impossible to divert its course by a system of bounties and guarantees. At all events the more this country abstained from all such attempts at the expense of the tax-payers, the better.

Mr. MONSELL said, he hoped the hon. Gentleman who had just sat down would pardon him if he confined himself chiefly to the question of the Hudson's Bay Company, instead of entering into those general questions of colonial policy to which the hon. Gentleman had directed his remarks. He might, however, state at once that it was the policy of Her Majesty's Government to throw on the colonies, as far as was possible, the cost of their own self-defence. They had already taken steps in that direction, which had saved a considerable amount of public expenditure. They also meant to extend that course still further in the ensuing year, and to make arrangements that, where it was absolutely necessary that Imperial troops should be kept in any self-governing colony, the colony should pay the whole cost of the troops. He would now return to the question put by his hon. Friend who had brought this subject forward, and, in the first place, he must sincerely thank his hon. Friend for the great courtesy he had shown to him in so often postponing the subject during the progress of the negotiations between the Hudson's Bay Company and the Canadian Commissioners. The result of those negotiations had, he believed, been altogether satisfactory; for, although Her Majesty's Government had not at present received any official account of them, yet, as the Canadian Parliament had consented to the arrangement approved by the Commissioners and accepted by the Hudson's Bay Company, and also taking into consideration the addresses presented in Canada to Sir George Cartier, and his replies to them, he had no doubt that the arrangement was regarded in Canada as a satisfactory one, and that it would be ratified by the Canadian Parliament. He entirely concurred with his hon. Friend in his estimate of the importance of this question. It was not a mere question, as the hon. Gentleman who last spoke seemed to suppose, of some few hundred thousand acres of land being conceded; it was a question of opening a great and fertile territory, from which colonization and civilization had been entirely excluded by the proceedings of a fur trading company; of opening the way to civilization; and of satisfying the just and legitimate ambition of the Canadian Government to extend their dominion from the Atlantic to the Pacific, and, in addition, to remove a source of considerable inconvenience from the Imperial Government, which had to be responsible for the acts of Her Majesty's subjects in a district where there was no sufficient guarantee for law or order, and where, as he should show in the course of his remarks serious, difficulties arose within the last four or five years with the neighbouring American Government on account of the absence of any proper control within the Hudson's Bay territory. His hon. Friend had asked hi opinion as to the value of the differen statements he had quoted as to th fertility of the Red River Settlemen and the district which extended from th Saskatchewan to the Rocky Mountains The Government had the highest possi ble authority on the subject, the authority of Colonel Palliser, who was sent out specially to investigate the matter, and the high authority of the noble Lord the Member for West Yorkshire (Viscount Milton) who had written a most interesting volume with respect to that country. They stated, and the statement was amply confirmed, that there were millions of acres of the very richest land, producing several products which in this country we could not produce—maize, for instance, and wheat—in the greatest abundance, and that there was, besides, the most excellent meadow and grass land, and that in every way the country was one that invited colonization. But there was another reason why there could be no doubt at all on the subject. The neighbouring territory of Minnesota was on the average less fertile than the Red River Settlement, and proved what could be done in a few years by the exertions of energetic men. The point was one, indeed, upon which it was rather painful for us to reflect. When the present subject had been brought before the House, some twenty years ago, for the first time in recent years, by his noble Friend the late Duke of Newcastle, there were in Minnesota only 2,000 inhabitants, while there were now 400,000. There were also 562 manufacturing establishments there; more than 500 miles of railway constructed or in the course of construction; and in a very short time all the prominent parts of the State would be brought into communication by railway with Chicago. Contrast that state of things with the position of the Hudson's Bay territory. In its case there had been no advance, or, at all events, a very small advance in population; there had been no colonization and no progress of any kind. The absence of any system of government in the Hudson's Bay territory had also, he might add, led to very serious international complications. In 1864, the inhabitants of the Red River Settlement, in order to obtain protection against the Indians, were obliged to ask the American Government to send troops to take care of them. In 1867, an application was made by the American Government for permission to send American troops intothe Hudson's Bay territory for the purpose of preventing it being made a resort by Indians who were carrying on war against the Government of the United States. Not only, therefore, colonial, but Imperial interests were mixed up in the matter; for it was not desirable that there should be any portion of Her Majesty's dominions in which she should not be able to preserve law and order, or do that which was necessary to keep on terms of amity with a neighbouring State. His hon. Friend had asked him a question with respect to British Columbia. There had been several indications by means of public meetings and by addresses to the Legislature, of a great desire on the part of the inhabitants of British Columbia to become connected with the Dominion of Canada. The most recent information was to the effect that they had undergone a change in that respect; but whether they had changed their minds or not, he was quite sure they would change them back again, for it was perfectly obvious that it was to the advantage of British Columbia to be connected with Canada, and that the rich valley of the Saskatchewan was almost a necessary complement to her territory. There was in British Columbia vast mineral wealth, and also in Vancouver's Island the finding of coal was going on very rapidly. Of that fact there could be no better proof than that the dividends of the Vancouver's Coal Company had risen from 2 or 3 to 20 per cent, at which price they stood at present. In Vancouver's Island, too, and in Queen Charlotte's Island, the best bed of coal was to be found which could be found in that part of the Pacific—a matter of great importance in the development of the resources of a country. The proposal which had been made by his noble Friend (Earl Granville), and which had been accepted by the Hudson's Bay Company, and which he hoped and believed would be accepted by the Canadian Government, would, of course, in no way touch British Columbia. This question, so far as it affected them, the inhabitants of British Columbia would have to decide for themselves; but the Government would afford them every facility should they wish to join the Dominion of Canada, and he entertained very little doubt that they would very soon adopt that course. The subject to which his hon. Friend had called attention was one which had now been under the notice of the Government for many years. Ever since the Committee of 1857 successive Governments had endeavoured to arrange terms between the Canadian Government and the Hudson's Bay Company. It had been held that that was the only true solution of the question and the only way of opening the Hudson's Bay territory to civilization. When, however, the present Government came into Office they were almost reduced to despair in the matter. In a letter dated the 9th of February last Sir George Cartier, addressing his noble Friend (Earl Granville), expressed it to be his opinion that no money which might be offered by either the Canadian or the Imperial Government, and which they might deem reasonable, would be accepted by the Hudson's Bay Company. His noble Friend, however, was not discouraged, and the result of the negotiations had been the success which he had to state to the House. His hon. Friend took a great interest in the guarantee, and asked whether any promise of a guarantee had been given. There was an engagement that a sum of £300,000 which was to be paid by Canada to the Hudson's Bay Company was to be guaranteed; but that matter would be brought before the House, and the fullest opportunity of discussing it would be afforded. His hon. Friend had unintentionally misrepresented the steps which had been taken by the Canadian Government with regard to the money raised under the guarantee given two or three years ago. His statement, as he understood it, was that the Canadian Government had appropriated that money to the payment of certain debts of the Dominion. What, however, they had really done was, that, finding they had £1,500,000 which had been raised under the guarantee at a very low rate of interest, and that they were paying a very high interest for debts due by the Dominion, they paid off those debts with the money, securing at the same time by means of the credit which they had with Messrs. Glynn and Baring for £250,000 or £300,000, and another credit they had with the Montreal Bank, that when the money was required for the purposes of the railway it should be immediately forthcoming. He did not express any opinion upon the matter; but it was due to the Canadian Government that the true facts of the case should go forth, and that it should not be supposed that they had deliberately taken the money to pay the debts of the Canadians. He felt with his hon. Friend (Mr. Fowler) that they had a duty to perform with regard to the Indians, and he might say that the Hudson's Bay Company had always discharged that duty in a way that reflected the highest credit upon them. The Government had communicated their opinion upon this to the Canadian Government, and had expressed their conviction that the Canadian Government would not forget to bestow due care upon the Indians. He believed that this was a perfectly wise course to take, and they had received the assurance of those distinguished men who had negotiated the matter that the rights of the Indians should be carefully attended to. He thought that it was better to rely upon the Canadian Government to pursue the same course of conduct which they had hitherto pursued towards the Indians in their own dominion, rather than endeavour to bind them down by any stringent conditions. He hoped the proposed arrangement would be brought to a satisfactory conclusion, because he believed that it would result in the great territory of the Hudson's Bay Company being civilized by colonization, and that it would be beneficial to Canada and redound to the honour of the British Empire. There would be no objection to produce the Papers.

Sir STAFFORD NORTHCOTE wished to say a few words in consequence of an observation made by the right hon. Gentleman the Under Secretary for the Colonies, and which, he thought, was open to be understood in a way not intended by the right hon. Gentleman himself. Speaking of the country in question, the right hon. Gentleman said that there were fine territories, which were capable of development, but that civilization and colonization had been hitherto excluded from them by a fur-trading company. No doubt the expression was not used to cast blame upon the Hudson's Bay Company, but still it might lead to misunderstanding. It was quite true that a very appreciable proportion of this enormous district was, by its natural advantages of soil and climate, capable of sustaining a large population—that was to say, it would yield a very considerable produce. This, however, was not all that was required to render a country capable of settlement by colonization. It was also required that there should be convenient means of access; and, moreover, it was required, when settlers were invited to go to a territory, that they should be certain that when they got there they would have the advantage of a regular form of government; that they would have protection, and the means of carrying on their affairs. Until a comparatively recent period this had not been the case with the territory to which reference had been made, and that, not owing to any fault on the part of the Company, but owing to the comparatively slow progress of the neighbouring countries. The right hon. Gentleman (Mr. Monsell) had contrasted Minnesota with the Red River Settlement, but it should be borne in mind that Minnesota had immediate connection with the United States, and that population had been advancing to Minnesota with comparative ease; whereas to get to the Red River Settlement a very difficult country had to be traversed. There was also the question as to what was to be the position of the settlers when they did get there. In Minnesota there could be no difficulty, for the American Constitution provided for the case; but with regard to the Red River Territory there was a difficulty because of the peculiar position and powers of the Company. It was a Company which had been formed for the purposes of trade; it had certain rights, and powers to administer government, but those rights were very imperfect, and it was improbable that a proper settlement of territory could be made unless the powers of the Company were extended, or unless the Imperial Government took the matter in hand, and formed a colony there; or lastly, unless there were some arrangement for annexing the territory to a British colony. The administrators of the Hudson's Bay Company had always expressed themselves ready to aid the Government in the adoption of any measures which might be taken for the settlement of that portion of their territory capable of settlement; but there was an enormous tract of country which never could be made suitable for settlement, and in which the fur trade would continue to be carried on. The directors of the Hudson's Bay Company had always been ready to co-operate with the Imperial Government; but the uncertainty which had existed during the last six or seven years in relation to the proposed Confederation of the American Provinces had kept things back. And further, it was at the request of the Imperial Government that the Hudson's Bay Company had abstained from coming to arrangements to develop the country, and they were very pleased to find that arrangements were now being made to open up the country. They thought that it was far better that these arrangements should be made through the instrumentality of the Government than by giving to the Company a character that would be foreign to them, or than by the Government establishing a Crown colony, though something might be said for this latter course. Those who were best informed were convinced that it would be for the advantage of Canada that she should have this territory connected with her, and at the same time he believed that such an arrangement would be the best for this country, and the best calculated to develop the territory of the Company. Feeling that this was a matter in which the honour and interests of the Imperial Government were concerned, he thought that the Government should facilitate the arrangements which Canada was making, and which arrangements would tend to relieve this country of responsibility. For instance, there was this question of our relations to the Indians, in which we should be relieved of responsibility. The Hudson's Bay Company had always done the best they could to preserve the Indian tribes with whom they came into communication. They had done a good deal to prevent the introduction of spirits, and had done other things to promote the welfare of the tribes. He believed that it was owing to the great skill with which the noble Lord (Earl Granville) had managed this matter that there was a chance of a satisfactory settlement. No doubt that when the question of guarantee was raised in such a form as that it could be discussed in that House the matter would be more thoroughly gone into; but at present he would content himself with thanking the Government, and more especially the noble Lord (Earl Granville), for the patience with which they had dealt with the matter, and in their not having despaired of the settlement when there seemed very little hope of its being brought about. He felt certain he was only correctly representing what was the right hon. Gentleman's meaning in saying that he (Mr. Monsell) had no intention of casting any reflection on the Hudson's Bay Company.

Mr. MONSELL said, that his right hon. Friend was correct in assuming that it was not his intention to cast any reflections on the Company.

Viscount BURY said, he had taken for many years past great interest in this territory. He had not anticipated any discussion on the Motion before the House, because he had understood that the Papers asked for would be presented, and he believed that little now remained beyond expressing satisfaction at the termination of a long and tedious dispute that had for years existed. In spite of what had fallen from the right hon. Baronet the Member for North Devon (Sir Stafford Northcote), he maintained that the Hudson's Bay Company had shut up the territory from any possibility of development, and had kept it entirely to themselves. He was glad that this peaceful solution had been brought about, and had it been otherwise he should have been prepared to argue that the claims of the Hudson's Bay Company were untenable and indefensible. He trusted the Canadian Government would see that they would be incurring great responsibility by throwing obstacles in the way of a peaceful solution of the difficulty. They were, no doubt, of opinion that the rights of the Hudson's Bay Company, if they existed at all, had been very much exaggerated; and they might perhaps think it unfair that the £300,000 which they were called upon to pay should come out of their pockets, or be a charge upon them. As one who agreed with the Canadians in the main, he nevertheless trusted that they would not raise such an objection, but that they should take the long tenure of the Hudson's Bay Company as a guarantee that their rights did exist in some way or another. At all events, if he were a member of the Canadian House of Assembly, he would not raise such an objection, but would accept the settlement now arrived at as the best that could be devised. The right hon. Baronet who had just sat down had pleaded very strongly in favour of the Company, and he seemed to argue that the Company had done the best they could for the Indians. He (Viscount Bury) did not think that was the case. The Hudson's Bay Company, of course, wanted people to procure the furs for them, and for this purpose they employed the aborigines. But they took little care of them. They always discouraged any attempt to educate the Indians, and the backwardness of the country was entirely due to the course they pursued. As the right hon. Gentleman at the head of the Government said some years since, they placed a "No Thoroughfare" board at the entrance to their dominions, and prohibited all access to them. There was enough fertile land to afford a farm and homestead for every man, woman, and child in the British dominions, and it was that which they were about to obtain for the £300,000 to which allusion had been made. The only way into it had been through the Red River, and there the Hudson's Bay Company established a military post for the purpose of cutting off communication with the interior. That post was established in 1812 by Lord Selkirk to prevent the North-west and Canadian Companies' hunters from entering the Hudson's Bay territories, who interfered with their fur-bearing animals, and that post had been maintained ever since. So far, however, from the establishment of that post being a friendly act towards the Indians, he regarded it solely as showing that the Company had determined to hold the territory as long as they could. The hon. Member for Banbury (Mr. B. Samuelson) had expressed a doubt whether emigration could be attracted into this country—because the tide of emigration was exclusively turned towards the United States—from their being no access to this land. He (Viscount Bury) hoped that now easy access would be given to the interior, in which case there would be as vast and as rapid a tide of British emigration into that country as there now was into the West of the United States. A man when he landed in America was forwarded on to the fertile prairies of the West, but if he went to Canada he had to hew down a vast forest before he could plant his first crop. A man did not like to encounter such labour and toil when he knew that by going a little south of the 49th parallel he came on a vast tract of prairie land, where he could at once commence his ploughing and sowing operations, and in the course of a year reap a harvest. If Canada did her duty—as he was sure she would—they would have a fair and free access to land as fertile as that which was so eagerly sought after in the United States. No man who had not seen this country could form any conception what wealth nature had placed there. A great deal had been said about the barrenness of the country. It had been compared to Siberia and the rocky regions around the North Pole. Some portions, undoubtedly, were inaccessible to colonization; but others were equal to any part of Europe in the abundance of crops that they offered in return for moderate labour and moderate tillage. He hoped, too, that by-and-by we should through this territory have an excellent route to our possessions in the East; and he believed that within the lifetime of many now living there would be established, by ship, canal, railroad, and telegraph, direct communication between the Atlantic and the Pacific. The navigation required improvement he believed only in three places in order to admit of their taking a ship straight from England to the foot of the Rocky Mountains without discharging cargo. The land, too, could be easily adapted to the laying of railways, as the gradients to be overcome were very few and very slight. The enterprize was a magnificent one in an engineering point of view, but apprehensions had been expressed that it could never be a good commercial speculation, since being constructed in part upon the slopes of the Sierra Nevada, it could not be worked during some months in winter. Another line somewhat lower down had been designed, but not yet constructed, and, if carried out, this, he believed, would be a route in every way suited to the traffic of which he had spoken. But there was another line passing through Canada, and lying, as it were, ready to our hands, and our Canadian fellow-subjects were not the men to let slip an opportunity without improving it. Having held the office of superintendent-general of the Indian tribes during the time that he was in Canada, he had to a certain extent studied the Indian question and felt considerably interested in it. He hoped the Government would not fall into mistakes similar to those which had been committed on former occasions. The practice of setting aside reserves of land for Indians he believed to be an erroneous policy; for if the lands were well placed, and suitable for purposes of settlement, in time they became mere baits to attract the cupidity of squatters, who must be displaced in favour of the Indians if faith were to be kept with them. There had been a painful illustration already of the mode in which engagements entered into with the Indians had been dealt with. When the lands were taken from the Indians and apportioned among the settlers the Indians were promised British protection, and told in the figurative language of their own treaties, that as long as grass grew and water ran they should receive certain annual presents from the British Government. These were given to them for many years, till a time came when the British Government grew tired of the payments, and, supposing, apparently, that, being savages, they were incapable, as a mass, of civilization, proceeded to act upon the principle that the faith of treaties need not be kept up with them. At the time when he himself was in Office he was instructed, as his predecessor had also been, to prepare a scheme by which, once for all, those presents from the British Government should be discontinued. They had been discontinued, and a great breach of faith with the Indians had been committed. It was one of those things that were gone and past, but he could not, when he looked back, but lament it. He had been often asked by the Indians themselves, whether their great mother across the Atlantic—as they called the Queen—really knew of the fraud which, they said, had been committed upon the children of those who had faithfully served her fathers in former years. This question was one which he could not answer, and he had felt the shame of being obliged to hold his tongue before these untutored savages. He hoped that we should avoid these errors in future, and, while extending to the Indians the protection of British Law, we should no longer keep them under perpetual tutelage, teaching them to look to the Government for the food they ate and the plough they tilled the land with. We had made the property of the Indians not that of the individual, but of the tribe; we had made them incapable of being sued for debt, incapable of even running up a tavern score. He himself had seen a new plough left in the soil, a new seine left on the bank of the river, simply because no one was responsible for the care of their implements, which belonged to the tribe. Had the Government acted towards them on a different principle, the Methodists—who were by far the best missionaries—would soon have taught them the value and the duty of protecting property. Some of the native Indians were quite capable of civilization—he had known one who was a barrister, and a very able one, too—but, he was bound to confess that, as a general rule, they were not up to the mark of the average of the population. In Lower Canada they were more nearly on a level as regards intelligence, but in Upper Canada the comparison was not quite fair, for the average intelligence there was much greater than amongst the rest of the population. The separation in point of language between the Indians and the English-speaking population was the real difficulty in the way of the progress of the tribes. He would not discuss the question of the rights of the Hudson's Bay Company. If they were merely sitting round a table, some one possibly might advance the opinion that the Company had no rights at all; but he thought it most undesirable that any such question should be raised, and he conjured the Government to let it alone. He could not sit down without protesting against the doubt which had been thrown out by some hon. Members in the course of this debate, as to the loyalty of the Canadians and their attachment to the Queen and British institutions. Putting the matter on the lowest ground of self-interest, he could see no reason why the Canadians should wish to join the Confederacy of the United States. Why should they who possessed complete autonomy, be anxious to throw themselves in the arms of that democracy? The yoke of the Queen did not press heavily upon the Canadians, and they escaped from finding themselves every four years involved in the throes of what resembled the sublimated essence of a general election—the election of a President,—which was no sooner decided than they were thrown afresh into the turmoil of canvassing for his successor. Canada, moreover, in place of diminishing her taxation, by joining the United States, would have to take over a share of the existing debt. On the other hand, by remaining as she was, with one half of the continent of America in her hands, her future prospects were not inferior to those of the United States. The Canadians had been brought up under the British flag—they were attached to our form of government—they revered our beloved Queen, and he was persuaded that nothing would induce them to change the form of government under which they had commenced such a happy era of prosperity.

Mr. ELLICE concurred to the fullest extent in all that his noble Friend (Viscount Bury) had asserted respecting the loyalty of the Canadians, but wished that even a part of his great expectations, as to the future progress of the North-west territory, might be fulfilled. He thought that the Government had taken a proper step in the settlement they had made with the Hudson's Bay Company. He agreed that a trading company was the worst possible body to do the work of colonization; but, at the same time, he did not think that the past management of the Hudson's Bay Company had been open to all the criticisms of his noble Friend. The North-west territory was the only British colony where there had been a considerable expenditure of British capital, which had not cost the taxpayers of this country a single sixpence. With respect to the Indians, it was the interest of the Company, supposing they were influenced by no other motive, to nurse and to maintain them; and it was perfectly well known that if the Company were to be withdrawn to-morrow from that territory, the Indians would starve. They had given up their primitive habits in hunting for the service of the Company, and by the Company they were supported. He agreed with the noble Lord that reserves were of no use for the Indians. It was useless to shun the fact that the Indians and civilization were incompatible with one another, and that, as civilization advanced, so, in Canada, as in the United States, the Indians would disappear. As long, however, as the Hudson's Bay Company existed, as a fur-trading company, they could not do without the Indians; and it was to that Company that the House must trust for their future protection and maintenance. With respect to the settlement proposed by the Colonial Office, it was, upon the whole, fair and equitable and beneficial to this country; because, as long as there was an independent territory in America having no means of protecting itself, and claiming protection from this country, there was always an element of danger in the connection. Now that it was united to Canada, the Government of that country must take charge of it, and this country would cease to be responsible. He trusted that the Colonial Office had received a guarantee from the Colonial Government for the establishment of a proper Government in the Red River territory. He thought it wise on the part of the Colonial Office to give the guarantee of £300,000, if it succeeded in effecting a settlement with the Hudson's Bay Company, and relieving this country of all responsibility with regard to the settlement; but the Colonial Office ought to insist that a Government should be placed by Canada in the Red River to enforce the law, and maintain good order in the settlement.

Sir CHARLES DILKE said, that as the House might not have another opportunity of discussing this question, he was anxious to make a reply to one or two of the points raised by the noble Lord (Viscount Bury). When the noble Lord represented it to be a matter of vital importance that there should be a communication through the British territory from the Atlantic to the Pacific, and drew an analogy with the case of the United States, he (Sir Charles Dilke) desired to point out that this communication—in the case of the United States—was mainly established for political, and not for commercial reasons; whereas, in the case of Canada, if the consideration there was also political, then it was for the consideration of the Colonial and not of the Home Government; or, if it was to be alleged that the through communication was desirable for commercial purposes, then he took exception to that statement altogether. In the first place, the American line had got the start; and further, he was convinced that no line of railway, whether English or American, could ever compete, in the China and India trade, with water carriage. The main articles of that trade were tea and silks, and both suffered great damage from repeated transhipments. The time occupied by the journey was of no great importance, but it was strictly necessary to avoid the four shipments and transhipments that would be needed if the goods were sent from the Pacific to the Atlantic by land. It might, perhaps, be said that the railway was required for the purpose of opening-up the country to emigration from England, but he much doubted the truth of that representation, because European emigrants generally remained in the cities and large towns, and the natives, whose labour they displaced, sought the plains of the West. He made these remarks because he was afraid that an opinion prevailed in Canada that this country would be inclined to guarantee an extension of the Intercolonial Railroad.

Mr. ADDERLEY said, he was glad attention had been called to this subject, because what had been stated by the Under Secretary for the Colonies, by the noble Lord the Member for Berwick-on-Tweed (Viscount Bury), and the discussion which had followed, would spread abroad in the country a knowledge of the great resources which the fertile belt in the Hudson's Bay territory would offer to colonization. It was a misfortune to this country that so much ignorance should prevail among the people with reference to the space of country which belonged to them. It had often struck him that in our primary schools every geography was taught but that of our colonies. Americans who visited this country were astonished that so little attention was given to this subject in the primary education of the great mass of the people. Our colonies ought to be as valuable to us—as a means of relieving over-population and the pent-up industries of the kingdom—as the Far West was to the United States. They should be almost a guarantee against the prevalence of chronic poverty among us; but for want of information and familiarity their advantages were never looked to as a provision for the poor and enterprizing, if, indeed, they had not purposely been kept in mystery not to use the horrors of transportation. Representing, to a certain extent, the late Government, he offered his congratulations to Her Majesty's Ministers on the successful termination of the negotiations with the Hudson's Bay Company. The late Government had conducted the negotiations from the time of the Confederation of Canada upon the foundation of the previous negotiations commenced by the Duke of Newcastle. The negotiations had extended over a great number of years, and had, by the intricacy of claims, and doubtfulness of rights, become a great deal too complicated; but their complication had been very much curtailed, and he had to compliment the Government on the simpler arrangement which had been made with the Company. He thought the payment of a sum of £300,000 down, instead of a sum gradually accumulating by instalments over a number of years, was greatly preferable; the reserves of land were also simpler, and the position of the Company for the future was improved. Canada undertook at once both the territory and its government. He said this particularly with reference to the observation of the hon. Member for St. Andrew's (Mr. Ellice), who said he hoped that some stipulation had been made with Canada as to government. They handed over the reins to Canada, and, of course, Canada was to govern; if not the negotiations would fall through. Canada would undertake the promotion of all those objects which had been alluded to in the debate connected with the opening up of the country. As to reserves of land for Indians, the late Government had made no stipulations. Scrupulously avoiding laying down any specific recommendations as to the treatment of the Indians, they had expressed a hope that they would be scrupulously considered, as they should, and, no doubt, would be, but leaving it entirely to the wisdom of the Canadian Government how they should be treated; for the Canadian Government were as good judges of the interests of the Indians as we could be, and so far much better, because they would have to suffer by any unwise arrangement they might make. These things were left to Canada, and all we took on ourselves in the negotiations was the guarantee proposed for the loan by which the £300,000 was to be raised. If that was all, the liability we incurred in so successful an arrangement as this, he must say a great object had been gained for the country at very little cost or risk to ourselves. He quite agreed as to the general impolicy of offering guarantees. He had himself had the misfortune to have the task of proposing to the House the guarantee in connection with the Intercolonial Railway, and he had pledged himself never to do anything of the kind again. In the present instance he acquiesced in the proposal as special and exceptional, because they gained an enormous advantage at very little cost. He quite agreed with the Under Secretary that this was not simply a Canadian question; it was one of very great Imperial interest. There could not be a doubt about it. England had a great interest in making this arrangement as easy, speedy, and perfect as possible. We had to stand out of the way of a great country's growth, impeded by an old charter of one of our Kings. We were removing that barrier we had ourselves created; and, having done so, we undertook no more than to unite with our fellow-countrymen in Canada in opening up the resources of this vast tract, and rendering it as available to those who emigrate hence as to those who live on the spot. When it was said that recent expressions of opinion, especially in British Columbia, had run in favour of annexation to the United States, it was well to remember that the reason was this—that the greater part of the present population of Columbia — 98 per cent—had come from the United States, and therefore it was natural that their inclination should be stronger for their own country than towards Great Britain; but when once the intervening territory was opened, the tide of population from this country would be greatly increased, an English population would spread over it; English connection and attachment would supersede the alien sympathies, and a territorial provision would become available for every family in England that chose to go there.

Mr. E. T. HAMILTON agreed in the desirability of making known in this country facilities for communication with other parts of Her Majesty's dominions, but he also thought it desirable that no delusive hopes should be held out. He understood from the resident Governor of the Hudson's Bay Company that the settlement from Canada of the fertile tract of territory which had been alluded to was almost impossible. If that settlement were effected it must be from the overflow of population from Minnesota, and not from Canada.

Mr. GLADSTONE: There are one or two topics that have been mentioned in this debate on which I wish to make a few remarks. I cannot but say I am exceedingly glad that the time has at length arrived when a very difficult problem has reached its solution. Twenty years ago, when discussions took place in this House having in view the very object that is now about to be attained, I was one of those who, at the time, feeling a very lively interest in the question, entered keenly into the matter, and, perhaps, did somewhat less than justice to the Hudson's Bay Company, to whom now everyone would wish that the fullest justice should be done. At the same time I think that, fundamentally, we were right in the policy we then endeavoured to recommend, because it has been frankly admitted in this debate, and is now generally conceded, in the first place, that the Hudson's Bay Company, as a company with exclusive privileges, and constituted for the purpose of fur trading, neither was nor possibly could be a good steward of the great interests involved in the government of a large continent; and, in the second place, that it was not possible for this country to take upon itself and to administer directly the responsibilities that were then incumbent upon the Hudson's Bay Company. Canada evidently was pointed out by nature and by circumstances as the proper person to come into that position, and that position she is about at length to adopt. My hon. Friend the Member for St. Andrew's (Mr. Ellice) asks us whether we took an engagement from Canada for the government of this territory, and I shall repeat on the part of the Government the answer made by my right hon. Friend the Member for North Staffordshire (Mr. Adderley), that it would be neither becoming nor possible to ask Canada to give such an engagement. Canada would be senseless unless she entertained the fullest sense of her responsibility and duty in this matter, and her interests are as much connected with the fulfilment of this duty as in any possible case they could be. There was a remark that fell from my noble Friend the Member for Berwick (Viscount Bury) that I am loth to pass without some qualification. I must thank him—and I think I express the general feeling—for the interesting and able speech which he delivered. I am sure he will excuse me if on one point I venture to say a word for the honour of this country, though in apparent opposition to what he said—I mean with respect to that very animated censure which he passed upon the course taken by the British Parliament in regard to the presents made to the Indians, and which he did not scruple to describe as a gross breach of faith, of which the undivided responsibility lay with this country—if with this country, then necessarily and exclusively with this House. The ground of my noble Friend's charge was this—that a covenant had been made with the Indians that these presents should be annually given to them "so long as the grass grew and the water ran." I will not attempt to escape from the stringency of that covenant; but this I will say, that I do not think it necessary for me to attempt to defend England against a charge of gross breach of faith by shifting the responsibility elsewhere. But this I do say, that that covenant to give presents to the Indians was strictly and essentially an incident of the position which we then held in regard to Canada. At the time when we entered into that covenant we held Canada not so much for the benefit of Canada as for the benefit of this country, and Canada was managed, not according to her own will and discretion, but according to ours. In process of time that state of things was fundamentally changed. Every power that we had exercised over Canada for our own use or supposed advantage was successively given over into the hands of Canada. With these powers the people of this country practically came to the conclusion that it was necessary that the incidental costs and burdens should be likewise handed over, and among those incidental costs and burdens that of the annual presents to the Indians. That is the real ground on which this House proceeded. I do not think it was any part of our duty to determine whether the covenant with the Indians was liable to change in consequence of the altered circumstances. The question to which we looked was whether we could fairly and justly, under this covenant, continue to ask the tax-payer of this country to pay a sum of, I think, a good many thousands a year for the purpose of these presents to the Indians, when Canada became a country for every practical purpose perfectly independent. The House of Commons arrived at the conclusion that it was not reasonable or just to make that demand upon the people of

England. I notice this part of my noble Friend's speech, because nothing can be more unworthy of an Assembly like the present than to have it supposed that, in respect to the engagements we concluded, we adhered to them less faithfully when dealing with a weak people than when stipulating with a strong country. With regard to the other topic of debate, I must say it certainly is a question of the greatest interest to consider what will be the course of events with respect to the future settlement of the great valley of Saskatchewan. There is very conflicting testimony on the subject; and probably it is affected by so many circumstances of which as yet we have no experience, that the soundest judgment and the most extensive knowledge cannot speak with confidence upon it at the present time. When Sir George Simpson published that interesting account of his voyage round the world he spoke in the most sanguine terms of this territory; but subsequently when he gave evidence before a Committee of this House, he very much qualified and almost contradicted his former statements. The future alone can tell what are the capabilities of this territory. I think it necessary to say a word with regard to continuing colonial guarantees. I believe that in the private relations of life it often happens that a man who is ready to undertake an engagement on the part of somebody else, by the fact of his undertaking such engagement, instead of leaving on the mind of the other party the impression that he ought not to apply to him again, leaves, on the contrary, the impression that he is an accommodating person, and that nothing but a succession of pertinacious, or at least energetic applications is required in order to extend the process of entering into engagements. I hope our excellent Canadian fellow-subjects are not under an impression of this kind; but whether they are or not, I feel content to bear my testimony to what the right hon. Gentleman opposite (Mr. Adderley) has said on colonial guarantees. I cannot adopt an absolute rule on this subject. It is impossible to say that there will be no such thing proposed to this House as a colonial guarantee. But whenever a Government has proposed a colonial guarantee in the past, this House has always expected that Government to show that the proposal was made with a view of escaping from the kind of relations under which alone such a guarantee was required, and of establishing freer relations under which our colonial fellow-subjects would bear their own burdens and leave us to bear ours. In conclusion, I thank the hon. Member for Chelsea (Sir Charles Dilke) for having given the House the benefit of his experience with regard to the difficulties with which this portion of the subject is beset.

Viscount BURY apologized if he had used too strong expressions with regard to our treatment of the Indians; but he had had in his mind at the time a covering despatch from Sir Edmund Head, who said that he approached the subject with pain and misgiving, never having been able to persuade himself that the conduct of this country towards the Indians had been consistent with good faith.

Mr. HADFIELD said, it was strange that the opportunities for emigration which these vast regions presented were so much neglected by the English people. While those regions were inviting settlers, England was over-run with population, often hard driven to find employment. He regretted greatly that the sons of our aristocracy, instead of remaining at home to fill up all the places which they could obtain in the army, the navy, the church, or the law, did not follow the examples of their ancestors, and set themselves the task of colonizing fresh regions of the earth. He had heard it said that the reason why the younger sons of the aristocracy remained at home was because they did not wish to leave the luxuries of their fathers' tables. It was a poor reason; and he thought that the teeming population of this country ought to be better instructed as to the position and advantages of our colonies as fields for emigration.

Motion put, and *agreed to.*

MAIL CONTRACTS.—RESOLUTIONS.

Mr. SEELY, in calling attention to the Report of the Select Committee on the American Mail Contracts, said that these contracts had been objected to last year on various grounds. It was said that they ought not to have been entered into for so long a period as eight years; that it was unwise to pay a fixed subsidy annually to certain firms, irrespective of the number of letters carried;

and that to do so was not only injurious to the public purse, but likewise to private shipping firms not subsidized. It was argued, on the other hand, that these contracts would be self-supporting, and that the rate of increase in the number of letters had of late years been such as to justify a reasonable expectation that we might gradually reduce the postage to the United States, without loss to the revenue. The question whether these contracts would be self-supporting came under the consideration of the Select Committee, and by the term "self-supporting" it was understood that the sea postage of 4*d.* would cover the payments to Messrs. Cunard and Inman. The Committee reported that for the year 1868 the amount of sea postage had been £68,400, and that from Queenstown it had been £51,600. The right hon. Gentleman the late Chancellor of the Exchequer alleged that the sea postage in 1868 was £101,000; and he apprehended that the right hon. Gentleman was supplied with a statement of the gross amount of the postage at 6*d.*—4*d.* for the sea postage and 2*d.* for the inland postage. In the calculation of £112,000 given to the Committee for the postage for this year, it was supposed that there would be 2,738,457 single rates of letters, which would have amounted to £76,068. At 6*d.* he believed that these letters would only amount to £68,461, so that there was an error there of £7,607. In the same estimate £16,742 was taken as the receipts from newspapers at 2*d.* each, but on the 1st January, 1869, the postage was reduced to 1*d.*, so that £8,371 must be struck off from that amount, making a difference of £15,978 to be deducted from the £112,000, which would leave £96,022. But, further, one-third must be taken off that, as the amount of the two inland rates of 1*d.* at each end, making £32,007. So that instead of £112,000 they arrived at a sum of about £64,000; and instead of the contract being self-supporting, it would probably entail a loss of upwards of £40,000, which, if the North German Lloyd contract was continued, would be increased to £50,000 or £60,000 per annum. But that was not all. The right hon. Gentleman calculated that the £112,000 would arise from an increase of 10 per cent on the amount of last year. Mr. Chetwynd, in his evidence before the Committee, stated that the numbers of letters to and from the United States had been as follows:—In 1863, 2,461,440; in 1865, 3,367,670; in 1866, 4,066,284; in 1867, 3,916,759; and in 1868, 4,875,802; but Mr. Chetwynd did not, until he was cross-examined, state that he had taken as the bases of his calculation the year of the Civil War in America, when the number of letters fell off 1,250,000, and that he compared it with the year 1868, when the postage was reduced from 1*s.* to 6*d.*, and when the number of letters otherwise would have been 3,750,000; so that, instead of the annual average increase being 19 per cent, it would have been only $\frac{3}{4}$ per cent. Therefore, the right hon. Gentleman was not justified in assuming, from the figures of the past year, that there would be an increase of 10 per cent. If it were to be said that the sea postage was the measure of the loss, and that the United States did not pay as much as they were expected to pay, he asserted, on the authority of a Parliamentary Paper (No. 42, letter of the 28th of November, 1868, page 56), that it was known at the time the calculation was made that the United States would not pay more than 15 cents per ounce for letters to England; and it must have been known at the same time that Messrs. Cunard would have only one day's letters; and, therefore, there was no reason for supposing that the amount that would be received for postage by Messrs. Cunard's vessels would be much more than was realized. Of course, a Chancellor of the Exchequer could not be expected to examine these figures minutely; but heads of Departments ought to be very careful that these calculations were intrusted to competent persons. A ground taken in defence of these contracts was, that no better offers could be obtained; but persons sometimes created difficulties for themselves, and it was so in this instance. No doubt the Post Office had better offers in 1867 than in 1868: in 1867 Mr. Inman tendered, but, according to his own account, he was not dealt with fairly, and he complained that, although his vessels were as good as the Cunard Company's, a preference was shown to Messrs. Cunard both in regard to payments which he was not to have, and exemption from penalties to which he was to be subjected. Mr. Inman evidently thought it was of no use fighting this leviathan Company, and, therefore, he thought it more politic to coalesce with it. Thus the country was deprived of a very excellent shipping competition for the public service. The Hamburg Company did not offer as good terms in 1868 as they did in 1867, because they were harshly treated by the levying of penalties. In February, 1868, they paid a penalty of £300 because a vessel did not start at the hour fixed, although she reached her destination thirty-four hours before the time stipulated. Another ship which started in May last behind time arrived eighteen hours before the stipulated time, but had to pay the penalty. It was, therefore, little to be wondered at that private companies viewed the regulations of the Post Office with particular aversion. He understood that the Treasury had given notice of their intention to terminate their contract with the North German Lloyd's Company, to the great disadvantage of American correspondents in London and the southern counties. A Return published by the Committee showed that during the six months ending September 31, 1868, 75 per cent of the American letters went by way of Queenstown and 25 per cent by way of Southampton; but there were three days' collection of letters for Queenstown and only two for Southampton; and if Southampton had had three days' collection its percentage of the despatch would have been nearly 40 per cent. The calculations proved beyond dispute the advantages of the route. Though, perhaps, such matters should not be decided on the principle of generosity, it could not be denied that the North German Lloyd's had some claims upon the Government, because there was no doubt that but for the existence of this company the Post Office would have been unable to make the bargain they had made, bad as it was. It had been urged on behalf of the Cunard Company that loss was incurred by calling at Queenstown. Mr. Burns estimated the loss at £10,000, Mr. Inman at about the same; but Mr. Guion put the loss down at a £10 note, and it was supposed the former witnesses included in their estimate the whole of their establishment charges at Queenstown, while Mr. Guion spoke only of the additional expense on the presumption that an establishment at Queenstown was not necessary. All the shipping companies going between Liverpool and the States called at Queenstown; and it was to the interest of all to go regularly, to keep the utmost punctuality, and make the greatest speed possible. Their success as passenger and cargo ships depended on these considerations, and therefore there was no necessity for Government to pay any company additional rates on any one of these accounts. Nor was it necessary for Government to pay extra for fixed days, because the National Steamship Company of Liverpool, for instance, had 500 agents in every part of the world, and any change in the days of starting would cause the companies great expense. It was alleged that they would not get vessels to run in the winter; but the fact was that Mr. Inman's ships were running in the winter during fourteen or fifteen years, and those of Mr. Guion for four or five years. Although the Committee appointed to inquire into the postal contracts recommended that they should not be confirmed, they had become valid. Hon. Members were perhaps aware that by a Resolution of the 24th of July, 1860, mail contracts were to be laid upon the table of the House for one month before they could be regarded as binding; but the contracts he alluded to were signed on the 11th or 12th of December, and it would have been a farce to lay them on the table when it was well known the House would adjourn in a day or two, and not re-assemble for more than a month. By the first portion of his Motion he proposed to make it obligatory to have the contracts on the table during thirty days on which the House sat, so as to prevent the possibility of a miscarriage under similar circumstances. In this case, however, the contracts were laid on the table on the 2nd of March, and within two days he moved that they be disapproved. In deference to the wish of some friends whose opinion he respected, he altered his Motion by requesting an inquiry upon the subject and on the 12th of March a Committee was granted. It was not possible for the Committee to meet until the 17th o March, and with the greatest diligence on their part they were not able to repor until the 23rd. On that day Parliamen adjourned for the Easter Recess until th 1st of April. If the word "month," i the Resolution had meant a calenda month there would have been time t take the matter into consideration on th day the House met; but there were conflicting opinions on the subject, and the weight of testimony was that a lunar month was meant. The time, therefore, had expired before Parliament met, and thus it happened that they were unable to discuss the question, and also, as he feared, were saddled with a very heavy loss. It was with a view to prevent such a thing happening again that he was about to propose his first Resolution. With regard to his second Resolution, he was met by this argument—" We are saddled with these contracts for eight years; what is the use of talking about them now?" There had been three Committees on the subject—one in 1853, another in 1860, and the third this year—and all of them had practically come to the conclusion that it was not wise to enter into contracts for carrying the mails to the United States for any lengthened period, and that it was not necessary to remunerate the contractors by a fixed payment. Now, if all Postmasters General were of the same mind, it might perhaps be needless to lay down any very specific rules; but, if after the Committee of 1853, the subject had been taken into consideration by the House, and the Resolution bearing on it adopted, the country would have saved a large amount of money. In the Report of 1860 it was stated that in 1857 Messrs. Cunard applied for an extension of their contract, which did not expire until 1862—that was nearly five years in advance. The Duke of Argyll, then Postmaster General, protested strongly against this extension, on the ground that it was opposed to the recommendation of the Committee of 1853, and that it would prevent the diminution of the cost of mails across the Atlantic, and thus the reduction of the postage. On the 2nd of March, 1858, the Treasury refused to grant the extension. Then came a very singular affair. On the 20th of the same month, only eighteen days after this refusal, Messrs. Cunard made a second application. Between the two periods there had been a change of Government; on the 29th of March, the Admiralty recommended the Treasury to comply with the demand; and on the 20th of May, 1858, the Treasury did agree to the extension of the contract, from the 1st of January, 1862, to the 31st of December, 1867. The subsidy of £173,000 to the Messrs. Cunard was accordingly continued for another period of six years. Lord Stanley of Alderley was Postmaster General in 1866, and in a Paper bearing date the 8th of February, of that year, he said—

> "Had the contract with Messrs. Cunard been allowed to expire on the 31st of December, 1861, a great portion of the annual loss which we sustained would have been saved."

He further said that contract prevented the diminution of the postage from 1*s.* to 6*d.*; and further, that the Liverpool and New York Steam Company had offered to take the mails for the ocean postage from and to the United States, and they had run with great regularity with the mails of the United States for the ocean postage. On the 26th of April, 1866, Lord Stanley of Alderley asked the Treasury to authorize him to contract for the conveyance of the mails to the United States upon the basis of of the sea postage; and on the 13th of June, 1866, the Treasury gave him the authority to do so. But Lord Stanley of Alderley ceased to be Postmaster General, and they had now these two contracts entered into for a fresh period of eight years. Now, he would say there ought to be some uniformity, not in the opinions of Postmasters General, but in their principles of action; that it was desirable to limit the period, and that they should put all companies on the same footing. The Committee of 1853 reported that the preference given to subsidized lines was calculated to injure other lines, and that opinion Mr. Inman stated very distinctly in a letter to the Treasury, on the 26th of November, 1867. The result of all that was to raise up a sort of power that could hold its own against the Government of England, and even of the United States; for, in answer to Question 1611, Mr. Inman actually stated that he had nothing whatever to do but telegraph that night to the United States to stop all postal communication between one country and the other. Now, he was not fond, as the Chancellor of the Exchequer had said the other night, of "cockering up" such institutions or firms as might damage us hereafter; and it was with a view to prevent such consequences that he should propose his second Resolution. Now, what was the result of our policy, and that of the United States, in dealing with the same business? Up to 1868, we paid yearly to Messrs Cunard £173,000; the United

States, though they sent rather more, got their mails conveyed for less than £40,000. For the next eight years we must inevitably pay £105,000 to Messrs. Cunard and Inman; and if we continued to employ the North German Lloyd, as he hoped we should, the entire amount would be £120,000; but he ventured to say that in that period the United States would not pay £50,000. Looking therefore, to the recommendations of three Committees, of two Postmasters General, and of Treasury Minutes, the House might justly come to the conclusion that there was no necessity for fixed subsidies for a term of years in the case of the service in question. The Duke of Montrose, then Postmaster General, on the 13th of December, 1867, gave notice to the United States to terminate the Convention entered into on the 18th of June, 1867; and, being anxious that the whole of the facts relating to that matter should be in the hands of Members, he had himself moved for a Return which should have contained all the particulars to which he was about to allude. But the Post Office was not able to give a portion of the Papers which he asked for. It was not able to give the Memorandum of Mr. Trollope. He should mention that, when the Duke of Montrose gave notice to the United States, to terminate the Convention, his Grace assigned no reasons, but said he would send over Mr. Trollope to explain his reasons and negotiate a new Convention. Mr. Trollope accordingly went over and gave to the Postmaster General of the United States a Memorandum, dated April 26, 1868; and there was a reply from the American Postmaster General to Mr. Trollope, dated May 23, 1868. It was a most singular thing that the English Post Office had no copy of that memorandum of Mr. Trollope, and therefore conceived that it could not give either that document or the reply to it. Now he found, from a pamphlet which he had in his hand, that the reasons assigned by Mr. Trollope for terminating the Convention were that we paid 24 cents per ounce for the letters we sent to the United States, while the United States paid only 15 cents per ounce for the letters they sent to England; and Mr. Trollope very properly said in his memorandum that the ships which went backwards and forwards were the same, and therefore there was no reason why we should pay more than the United States did. But Mr. Trollope understated his case, because the 24 cents per ounce that we paid were only for the sea postage, whereas we paid not only the sea postage, but also the whole of the gross postage; and the entire 6*d.* rate was swallowed up in the payments to the contractors. Replying to Mr. Trollope's observation, the American Postmaster General said that that was owing to the different mode of inviting tenders adopted on this side. Mr. Trollope proposed that there should be a joint contract between the two countries for a term of five, four, or three years; but the American Postmaster General answered that by law he could not enter into contracts for more than two years, and that he thought it better to leave to each Post Office the power of making its own contract. He would next proceed to direct the attention of the House to the third Resolution. The Select Committee of this year had before them the representative of the National Steam Ship Company and Mr. Guion, who stated that they had made an offer to convey letters weekly by Queenstown throughout the year at the rate of 1*d.* an ounce or one-third of 1*d.* per letter. He might be told that the boats of those gentlemen were not so fast as those of the Messrs. Cunard. He admitted that they were not as fast as the Messrs. Cunard's quick boats, but it was extremely probable that they were as fast as their slow boats; and, moreover, if persons preferred to pay the slow 1*d.* rate to the quick 6*d.* rate, he did not see why the House—supposing no loss were sustained by the arrangement—should object to it. Let the mercantile community have their 6*d.* rate by the subsidized lines, and let the poorer classes have a 1*d.* rate by the vessels of the National Steam Company, or other parties whose boats might reach New York one, or even two days later. They had now two rates to Brazil, two to several other States of South America, and two also to India. By a 1*d.* rate he meant a 1*d.* rate from any part of the United Kingdom to any part of the United States. It might be said it would not pay, but, at all events, they would only take one-third of 1*d.* for the ocean postage, whereas they now took the whole 6*d.* for the ocean postage, and thus entirely sacrificed the two inland rates to convey the letters of the mercantile community. The Duke of Montrose, writing to the Liverpool Chamber of Commerce in December, 1868, admitted that it was by no means certain that between the large towns here letters might not be collected and delivered for a halfpenny. Mr. Scudamore said that the Post Office authorities had ascertained as well as they could that the average cost of collecting, transmitting, and delivering inland letters was about three farthings each; and he added that if no letters were sent to the United States the expenses of the Post Office would be very little diminished; and, further, that even supposing there was a loss in the case of such mails—that was, for the mercantile community—it was quite fair to apply the gross postage, namely, 6*d.*, for their conveyance across the Atlantic. Why, then, he asked, should they not equally apply the gross postage of 1*d.* for the conveyance of the letters of the poorer classes across the Atlantic if it was required, which he did not think it would be? It might be said that if they had two rates there would be fewer letters at the 6*d.* rate; and he frankly admitted that there might be. But if the question were not complicated by the 6*d.* rate, together with these atrocious contracts, they would have no difficulty in the matter. The letters ought to be sent at the rate they actually cost, instead of the poor man having to pay more in order that the rich man might pay less. It should be borne in mind that the great bulk of the letters which would go under a 1*d.* rate would probably never be written if they were charged 6*d.* He now wished to call the attention of the House to the large number of people who were interested in this question. He had obtained an approximate account of their number. The hon. Member for Longford (Major O'Reilly) had procured from a friend a Return which he said might be relied upon, and which stated that, in 1860, there were in the United States no fewer than 2,199,079 persons who were natives of the United Kingdom. He also learnt from the Emigration Commissioners that from 1860 to 1868, both years inclusive, 960,734 persons had gone from the United Kingdom to the United States. He might assume, indeed, that there were at least 3,500,000 of people in the United States who had relatives or friends in the United Kingdom; for it was highly probable that a considerable number of those who had gone to the United States did not declare themselves British subjects, having a motive to make themselves out to be United States' citizens. Altogether he calculated that there were 10,000,000 people interested in the question of a 1*d.* postage to America. It was no easy thing for a poor man, whose wages, perhaps, were only 6*s.* or 7*s.* a week, to pay 6*d.* for the postage of a letter; besides, he believed the lowering of the rate would be an advantage to the mercantile community as well as to the poor. The companies which carried 1*d.* letters would enter into a generous rivalry, and their vessels would in the end make the passage more rapidly. Every Member of that House was no doubt anxious to do anything which would tend to bind the two countries together, and what was more likely to bring about so desirable a result than the adoption of these Resolutions? Perhaps it might be said, however, that the United States would refuse to consent to such a plan. Well, if they did, we should not have injured ourselves by proposing to improve the postal communication between the two countries. But he did not think a refusal on the part of the United States was at all probable. It was evident, from documents published in the United States, as well as here, that the authorities in the United States were anxious to reduce the rate of postage, while it was our own Post Office authorities who had placed obstacles in the way. Mr. Seward, in particular, had declared that he was desirous to see the rate reduced to the lowest practicable standard. He expressed an earnest hope that the House would agree to the Resolutions, as he felt it would be a disgraceful thing if, in the first Session of a Reformed Parliament, it did not give to the poorer classes of this country a cheap means of communication with their friends and relatives in the United States.

MR. BAZLEY seconded the Motion, being profoundly convinced that the reduction of the rate of ocean postage would not only be a great convenience to commercial men, but an advantage to the whole community. If these services were thrown open to the shipping interest generally, not only would private vessels perform the passages quicker in the end, but there would be a saving of at least £750,000 to the nation annually, so that in an economical point of view alone the reduction of the rate would prove of immense importance. The late Government had committed an error in not allowing sufficient time for competitors to come forward when they advertised for tenders for contracts. Companies and merchants who purposed entering into competition for the conveyance of the mails required time to prepare vessels for the service and to make their arrangements. Now, the two or three months which the late Government gave for competitors to declare themselves was not sufficient for this purpose. He hoped that in future Government would give ample time for tenders being offered by people who were capable of conveying the mails efficiently and expeditiously. Unless something like a year's notice were given neither economical nor efficient tenders could be obtained. As regarded the duration of the contracts, he thought that they should only be made for three instead of eight years. He hoped also that from this time we should begin lessening the amount of subsidies. He regarded them as little better than a waste of public money, for no one could doubt that the resources of private traders were amply sufficient for the conveyance of our ocean mails, and we could not do better than throw ourselves upon their energies. Upon the whole he was of opinion that great good would result from the adoption of the Resolutions.

Motion made, and Question proposed,

"That Contracts, made subject to the judgment of the House, should be submitted to the House at as early a period in the Session as possible; should lie upon the Table for thirty days on which the House sits; and, upon reference to a Select Committee, should be subject to the decision of the House on the Report of the Committee."—(*Mr. Seely.*)

MR. GRAVES said, that no one could regret that the fullest inquiry and discussion had not taken place before the contracts were entered into more than the contractors themselves, and they had even been willing that the period for the ratification of the contracts should be enlarged rather than that the Recess should be shortened. A report that Her Majesty's Government, at the instigation of the hon. Member who took an interest in this question, would call the House together before the expiration of the lunar month, in order to take the sense of the House on the contracts, had become generally circulated, and reaching the ears of the contractors, they authorized him to state that they would extend the time for consideration rather than inconvenience hon. Members; but no action having been taken with reference to it, he had not felt it to be his duty to inform the House at the time of the intentions or the wishes of the contractors, though he had named it at the time to the late Chancellor of the Exchequer and other Members of the late Government. The hon. Member, in introducing this question that night, had done so with considerable moderation, and, looking at the matter from his point of view, with some force and ability; but, in alluding to the Report of the Committee adverse to the contracts, he had omitted to state that it was only owing to a mere accidental circumstance that a Report approving the contracts moved by an hon. Member did not become the Report of the Committee. He did not wish to place too much stress upon that fact; but he would ask the House to look at the evidence laid before the Committee and to judge for itself, rather than to rest too much upon the Report itself. He—and he believed many of his Colleagues—had been greatly struck with the peculiarity of the evidence laid before the Committee on behalf of the Post Office. It was not unnatural that the authorities of that Department should have placed their views before the Committee, but it was rather surprising that they should have thought fit to place before the Committee the view of Mr. Pearson Hill, a subordinate clerk in a Department which had nothing whatever to do with these contracts. Of the evidence of Mr. Frederick Hill, the uncle of that gentleman, he must speak with more respect, because his age, official position, and experience entitled it to considerable weight, though no one could help feeling that he had been pursuing a theory of his own for many years, which only showed that there were as many differences and rivalries in the Post Office as in the outer world. Mr. F. Hill had stated his belief that the time had arrived when these subsidies might be abolished; but, though he had held these opinions for many years, whenever he had sought to put them into practice they had always been found delusive. The evidence of Mr. Scudamore, a gentleman well known to that House, if it did not absolutely prove the case of the contractors, showed that the contracts were the most favourable that the Government could obtain. He would not follow the hon. Member through the long course of his arguments; but he would just allude to one or two points which he thought should be thoroughly understood by the House. The hon. Member had alluded to the slow boats of the Cunard service which sailed on the Tuesday, and he had, to some extent, compared them with the boats of the National Company. He had no desire to draw comparisons between the Cunard and the Inman boats, and any other companies which were not under review; but, as a good deal depended upon the matter, he should be obliged to compare the working of the steamers of the various companies which had been carrying our mails during the first three months of this year. He found, from a Return which was moved for by the hon. Member who introduced this Motion, that in the first month of the present year, the North German Lloyd's vessels, sailing on Tuesday, had been overtaken three times by the Cunard boats sailing on the same day, while the latter had been six times overtaken by the former, while the Inman boats had only twice being overtaken by those vessels. The average duration of the passage of the various boats was as follows—The Cunard fast boats, or Sunday vessels, 11 days and ¼ hours; the North German Lloyd's, 2 days 8¾ hours; the Cunard Tuesday boats, 12 days 12¼ hours; and the Inman boats, 12 days and 20½ hours. These figures showed that the service as now conducted secured the regular, speedy, and safe transmission of the mails across the Atlantic. The hon. Member had alluded to the North German Lloyd's as having been unfairly dealt with, but when the matter came to be thoroughly investigated, it would turn out that, so far from the North-German Lloyd's or any other foreign company suffering under their competition with those of England, they were, on the contrary, highly favoured in the contest. Thus, for instance, the French line received a subsidy of 16*s*. per mile as against the 2*s*. or the 2*s*. 6*d*. that the English companies received; while the North German Lloyd's carried all the mails of the North of Europe, in addition to a share of the English mails, whereas the English companies were prohibited from carrying foreign mails. The receipts of the North German Lloyd's for carrying the foreign mails must, therefore, be regarded as a subsidy in their favour as compared with the English companies. Then the English vessels were liable to a number of surveys from which foreign vessels were exempt, and Mr. Inman stated, in his evidence before the Committee, that the English vessels had to undergo as many as eight surveys before they could leave port, and that if they were relieved from those surveys they could carry the mails at a much lower cost. The lightness of the build of foreign steamers fully accounted for their speed, and he was greatly aggrieved by his vessels being brought into competition with them. Then, coming to the United States, there were no steamers sailing under that flag in the Atlantic—at least, none of any importance. The United States were naturally desirous of doing what they could in the shape of reduction of postage when they thought the expense of that reduction was to be thrown upon other countries. But they had a preference for their own flag, and a decided preference it was. To European vessels they did give only 15 cents per ounce; they now gave 20 cents; but there was a law in the United States providing that every vessel sailing under the American flag carrying the mails should receive the full postage—from 30 to 33 cents per ounce. It might be said that Act was passed in 1858; but, to show that the feeling then existing was still dominant, an Act passed the Congress on the 27th of July last for a weekly or semi-weekly mail from New York to Bremen, touching at Southampton and Liverpool. The sea and inland post, according to the Act of 1858, was to be given till it reached 400,000 dollars. The Company might also issue bonds, the interest not to exceed 250,000 dollars, and the bonds to be certified by the Post Office. The Postmaster General of the United States, in his last Report, alluding to this particular Act, authorizing and empowering him to contract with the Commercial Navigation Company of the State of New York under special charter, stated that, after a thorough examination of the subject in all its bearings, and having consulted the Attorney General on the legal questions involved, he had decided that it was impracticable to make a contract for only weekly or semi-weekly service, and accordingly he had declined to execute the contract. He had, however, advised the Company of his willingness to make a conditional contract by American steamships of sufficient number to form a service of at least four times outward per week. Another Act, or rather Bill, was introduced last Session into Congress for another steamship company, to be called the National Company, and by it the Postmaster General was authorized to make a contract. The compensation for mail service was to be the amount of land and sea postages to arise from mailable matter during the period of fifteen years. The rates established by law ranged from 30 to 33 cents per ounce under the American flag. He was, therefore, justified in stating that other nations seemed to look after and give a preference to vessels under their own flag; and he hoped in this great desire for competition, and for the encouragement of foreign competition, we should not lose sight altogether of the national advantages connected with those great steam lines, and where the natural trade was insufficient to support them as they ought to be supported this country would not permit them to be over-weighted by the more favoured vessels of another nation. But would moderate postal contracts give that encouragement to national enterprize which he thought our great steam companies had a right to expect from the country? With regard to the fact that the Messrs. Cunard's Tuesday service was not really what they would wish it to be, or what they meant it to be, the hesitating tone adopted by this House had prevented the ordinary increase of their fleet; but since their contract had been ratified they had entered on the construction of two or more vessels of large size and superior class, and when they could bring those new vessels to bear on the service they would find the Tuesday's service as satisfactorily conducted as their other service, with which no one could find the slightest fault. It was true they had asked for the two services £70,000, but he called that an extremely moderate sum for two services. Then, it had been asked, why pay as much for the Tuesday's service as for the Saturday's? It was not so, and if he were asked to divide the gross annual sum, he would say £50,000 should be allotted to the latter and £20,000 to the former. It should be remembered that the Saturday service went to Queenstown for the mails, and mails only, and did not take steerage passengers, owing to Emigration Act regulations, while the Tuesday boats were enabled to embark steerage passengers as well as mails. Now, let us contrast the efficiency of such services with the arrangement with the United States for the conveyance of our homeward mails? It was a most irresponsible service. The arrangement was made from week to week. There was no obligation to be ready on a certain day and at a certain hour. Notice was sent to the Post Office of the time the vessels would leave; the letters were sent on board, and the steamers left; but there was no penalty to enforce punctuality. The charge was fixed, till lately, at 15 cents per ounce, but the parties combined and demanded 20 per cents, which the Postmaster General of the United States was obliged to give; but there was nothing to prevent them demanding 25 or 30 cents per ounce; and the United States Postmaster General would be obliged to yield. Under these contracts such uncertainty, such combinations, such demands, would be simply impossible. Now as to the Resolutions of the hon. Gentleman, he (Mr. Graves) cordially concurred in a large portion of the first. He thought that the Government were much to blame in not having laid the contracts before the House this Session, sufficiently early as to afford an opportunity for their consideration before they were ratified by the Government. Very early in the Session he had put a Question to the Chancellor of the Exchequer, whether the Treasury had approved of the ratification of those contracts, and had authorized the Post Office authorities to complete them? He was at the time aware that a draft contract had been sent to Mr. Inman, of Liverpool, for his approval and signature, and he naturally concluded that such a step would not have been taken without the sanction of the Treasury. Now, although he right hon. Gentleman answered him n the negative, it came out in the evi-ence of the Post Office given before he Committee that the present Treasury ad sanctioned those contracts. There vas thus a discrepancy between the tatements of the Chancellor of the Ex-hequer and the evidence before the Committee which, if the right hon. Gentleman were present, he thought demanded some explanation. It was proved hat the contracts entered into by the ate Government had been ratified as ar as possible in February by the pre-ent Government. With regard to the econd Resolution of the hon. Member, e (Mr. Graves) felt some doubt whether it was wise for the House to bind self by abstract Resolutions which were o come into effect some eight years ence. During the last nine years this House had been adopting Resolutions with regard to contracts which were ound to be valueless when the time ame, because the fact was overlooked hat there must be two parties to every bargain. And the Government, receiving no response when it advertised for enders, ought not to incur the risk of being put into a position in which it might ail in obtaining any suitable carriage whatever for the mails. It was well nown that the North German Lloyd's nd Hamburg Company positively re-used to go to Queenstown, the only ther company, besides these two, which endered, being the National Company, whose vessels at present, whatever they night be hereafter, were certainly unequal to the requirements of the postal ervice. The reason given by the North German Lloyd's for declining to call at Queenstown was remarkable and deserved the fullest consideration; it was hat their vessels would have to cross he track of outward and homeward ound ships, and this they considered vould not be done without endangering ife and property. The third Resolution, o which his hon. Friend doubtless attached the chief importance, was that which contemplated the establishment f an ocean 1*d.* postage system. To that proposition he had on a former occasion tated two objections which he then ntertained—first, that it would have the ffect of unsettling the whole postal system of the country, inasmuch as it would e difficult to resist a demand for the eduction of inland postage if letters were carried from London to New York for the same uniform rate of 1*d.*; and, secondly, because it would be impracticable to carry out a mail service such as the country required upon a basis of ocean 1*d.* postage. If we attempted to throw over the existing contracts with a view of leaning upon ocean 1*d.* postage, carried on in such vessels as would agree to that arrangement, we should be resting upon a broken reed. At the same time he confessed he had considerable sympathy with the hon. Member in his desire to bring about, not probably a penny rate, but a cheaper rate of postage than the present. And it was well worth considering whether, in vessels such as those of the National Company or of Messrs. Guion and others—vessels of the best class, and entitled to every confidence—letters not requiring great speed, might not be conveyed at a cheaper rate of postage. But such restriction should not be confined to letters. Anybody who knew anything of the class of communications passing between emigrants in America and their friends at home knew that correspondence was mainly kept up by newspapers rather than by letters. So much was this the case that out of 100 sacks of mails landed at Queenstown he ventured to assert that eighty would contain newspapers. Among the classes to whom he alluded newspapers were actually more valuable than letters, for thought was more freely interchanged and knowledge more widely disseminated by the aid of newspapers than by letters, which briefly and with difficulty they were able to write. But, however beneficial might be the effects of any reduction in ocean postage, he trusted it would not interfere with the reasonable and more moderate demand which he had brought forward some time ago for a reduction upon printed matter under two ounces and upon newspapers. Charity began at home, and if times were favourable to a reduction, inland postage, he considered, had a primary claim. He had only to add a few words by way of explanation. On a former occasion he had made some remarks implying that there had been, on the part of the noble Marquess at the head of the Post Office (the Marquess of Hartington), a want of impartiality in dealing with this question. He had not then at his command the same complete information which he now possessed, or he should not have made any suggestion touching the impartiality of the noble Lord. He accordingly felt bound to state now that if any obstacles had been thrown in the way of the ratification of these contracts they had not been obstacles created by the noble Lord. He made this statement in justice to the noble Lord, and hoped his remarks would be accepted in the spirit in which they were offered.

Mr. CANDLISH said, no one could call in question the way in which the Messrs. Cunard had performed this service. The question concerned the future rather than the past, and he hoped the Government would see their way to accept the Resolutions, especially the second and third. In 1867 a most important contract with the Peninsular and Oriental Company was laid upon the table a few days before the end of the Session, when it could not receive the attention of the House because the Session was practically at an end, all but a few Members having left town. That contract involved twelve years service, and an outlay of not less than £6,000,000. It should be remembered that these contracts were only likely to be brought before the House by independent Members, and they had practically no access to the House for a month. A notice of thirty days was, therefore, the more necessary. With respect to the third Resolution, he did not see how the Government could resist it, seeing that it would, if carried into effect, provide for the conveyance of three letters for 1*d*. when the charge was now 6*d*. Two firms in Liverpool were ready to enter into a contract for this purpose, and he did not see how the Government could consent to the payment of a larger amount. It was for the interests of civilization to bind together countries which could not be too strongly and closely drawn to each other.

Mr. DENT, as the Chairman of the Committee to whose Report the hon. Gentleman had called attention, said he had heard with regret the remarks made in disparagement of the evidence given by Mr. Frederick Hill before the Committee. With respect to the contracts that came before the Committee, it appeared to him that the clause giving the House power to confirm or suppress them was only operative in two cases —in cases of public policy, and where there was the imputation of fraud or political jobbery. If a question arose in regard to public policy, it was, in his opinion, a very bad and injudicious course to refer a matter to a Select Committee which could be better discussed and decided by the House itself. It was the duty of the Government either to defend the contract or give it up, and not to put the responsibility upon a Committee. The policy of the Post Office had, up to 1867, been in favour of the views now advocated by the hon. Member (Mr. Seely)—that the ocean mail contracts should be for short periods. But, in 1867, a change seemed to have come over the Department, and the result was the contracts with Messrs. Cunard in 1868. He thought the right hon. Gentleman the late Chancellor of the Exchequer showed some weakness in this matter. When Mr. Inman offered his contract the late Government ought to have stood by him, and not to have made those terms with Messrs. Cunard. Mr Inman then saw it was of no use fighting any longer the battle which he had so gallantly fought for seventeen years. He thought, too, that the Post Office were excessively blameable for the information they supplied to the late Chancellor of the Exchequer, as to the results obtained from the postage, and on which information he approved the contracts referred to. He thought that contracts entered into by the Government ought to be adhered to, as a general rule; but still, if it could be shown that they were founded on an incorrect basis of figures, the House would be bound to take action in the matter. The only difficulty he felt was with regard to the third proposition. Had the present contract not been in existence he should have had no hesitation in supporting it; but he felt considerable difficulty in doing so seeing that th contract was to last for eight years, an that it might occasion a loss which th Revenue could not afford to bear. Whether he should be able to give his support to that Resolution must depend o what the noble Lord at the head of th Post Office might say on the subject.

The Marquess of HARTINGTO said, the hon. Member for Lincoln (M Seely) had attacked the hon. Gentlema the Member for Scarborough (Mr. Dent and had also characterized the information placed before the late Governme by the officials of the Post Office as fa lacious. These charges were not, in his opinion, well founded. The hon. Member for Lincoln seemed to think that the late Chancellor of the Exchequer, in sanctioning the contracts, was under the impression that they were to be self-supporting, taking into consideration the sea postage only. But in a letter signed by the Duke of Montrose, the late Postmaster General, he recommended the Treasury to adopt the contract, stating that the subsidy of £105,000 would be more than covered by the correspondence conveyed, which would produce £112,000. It was quite clear that the calculation was founded on the gross, and not on the mere sea postage. The Committee stated that under no circumstances would the gross postage exceed £102,600, and supposing the Southampton conveyance to continue the amount would be diminished by £12,000. The Committee had taken as the ground of their calculation not the sums which the Post Office would receive for the service, but the sum which the various companies would have received if they had been paid according to the weight of the letters conveyed, and not by a fixed subsidy. The two sums were not identical. The hon. Member for Lincoln had discovered several gross errors in the calculation by which the £112,000 was arrived at. It was possible that in the hurry of calculation some errors might have arisen; but if there were any, they were errors not in the total of the sum received, but in the number of letters on which the calculation was founded. The £112,000, which was assumed to be the gross amount, was received in the last year, and the probability was that, at the ordinary rate of increase, a larger sum would be received in the present year. The Post Office had been attacked for not laying these contracts on the table at an earlier date. The fact was that they were finally signed by the Duke of Montrose in September; but, owing to certain negotiations which were pending, it was not until the end of February that the necessary signatures of the contractors were obtained. With regard to the Resolutions of the hon. Member for Lincoln, he must state that he could not give his full assent to any one of them, though he sympathized with the hon. Member in respect to the motives which induced him to bring them forward, and he should be glad as far as possible to meet his views. He concurred in the statement in the first Resolution that these contracts should be submitted to the House at as early a period of the Session as possible, and he would suggest that they should be presented to the House in such a way as to afford ample opportunity for their consideration. The Resolution went on to say that the contracts should lie on the table for thirty days on which the House sat. If that portion of the Resolution should be adopted, it would make the period, which, he believed, was now a fixed period, an uncertain period. Now it would not be fair to contractors if any additional element of uncertainty were introduced into the matter, and he greatly feared that any element of that kind would tend to restrict competition. He would mention the case of a contract now under consideration. Advertisements would very shortly be issued for the conveyance of the mails between Dover and Calais, and they proposed that tenders should be sent in on the 1st of October. It was probable that within two months from that date the Post Office and the Treasury would be able to make up their minds as to the contract they would accept, but under the existing rule the contract would have to be laid on the table in the month of February, so that it would not be valid until March. Thus, under the most favourable circumstances, the new contractors would only have two or three months to collect their ships, get their staff ready, and make other arrangements. The existing rule, therefore, tended very much to restrict competition. It was quite evident that the old contractors under this system had a great advantage, for, their ships and staff being ready, they could risk nothing by tendering for a renewal of the contract, whereas a new contractor might either be driven to delay his preparations until he was sure of the contract, and would then have to make them in a great hurry, or he would make preparations which might be unavailing, as the contract might not be approved by the House. It might be said that the contract ought to be completed, so that it might be laid on the table during the present Session. But there was a great disadvantage in that also. It was not desirable to make arrangements so long in advance as that. The public would lose under such circumstances all the chances of some new competitor coming forward, of some large contractor having a portion of his capital disengaged at the time; and, in fact, unless in the case of some great service, like the American or Peninsular and Oriental, he did not think that tenders should be invited a very long time before the service was to begin. Of course, all the inconvenience which would occur under the present arrangements would be aggravated by any change which made the time longer or more uncertain. He believed that the thirty days' system did give sufficient opportunity for this House to call in question any contract. It was an accidental and unforeseen circumstance which caused the failure of the present year, and it was hardly worth while, in consequence, to lay down a rule which might be practically inconvenient, in the way he had described. As to the second Resolution, his hon. Friend had anticipated the objection to it. It asked the House to affirm what should be the policy of this country with regard to mail contracts seven years hence. Now, it was not very desirable that the House should so bind itself. He firmly believed that the contracts now in existence were the last of that nature which would ever be entered into for the American mail service. It was not probable that contracts for fixed subsidies and long terms of years would again be made. But he did not think that the position was strengthened by laying down principles on which the House was to proceed seven years hence. His hon. Friend reminded the House of an instance in which the contract had been renewed four or five years before the expiration of the old one. That was true, but there was no chance of the recurrence of such an event. A new contract could not be made without being laid on the table, and the House had a better opportunity of rejecting a contract made under such circumstances, which had not come into immediate operation, than it had in the case of an ordinary contract. As long, therefore, as the rule of a month's notice existed, there was no fear of the House being taken by surprise. The third and most important Resolution would bind the country to enter into negotiations with the United States Post Office for the establishment of 1*d.* postage. He understood that his hon. Friend favoured the plan of a double postal service between this country and America—one to be conducted by the present steamers at a comparatively high rate of postage, and another to be conducted by slower steamers at a very cheap rate. He was sure that the House would sympathize very much with his hon. Friend in his wish to extend the benefit of cheap postal communication between this country and the United States, and no doubt it was a subject of very great importance that means of communication between the two countries should be cheapened and facilitated. Still, he could not help thinking that his hon. Friend and the advocates of 1*d.* ocean postage somewhat overrated both the possibility of the change and the results which would follow it. They seemed rather to anticipate that the same great results which had followed the establishment of 1*d.* inland postage would follow the establishment of 1*d.* ocean postage. Well, he could not help thinking that that expectation was a very exaggerated one. In the first place, they must consider that many of the conditions were entirely dissimilar. It was impossible that correspondence should be multiplied as it was in the case of the inland postage. A letter could not be despatched to America in less than three weeks and an answer received; while in the United Kingdom a great many letters might be despatched and answered. It was impossible, therefore, that in this way only could correspondence multiply to the same extent. Besides, there were large classes of the population of the two countries who were not in any communication whatever with each other, or were ever likely to be. In the United Kingdom it was impossible to say with whom they might not be in correspondence within any given time. But most of us knew that under no circumstances whatever would our correspondence with America become a very large one. There were certainly two classes of the community who corresponded very extensively between the two countries—namely, merchants and emigrants. Now, the mercantile community were not very greatly interested in this question of cheap postage. What they wanted was a certain, rapid, and safe means of communication, and he believed they were quite willing to pay a much higher rate to secure those advantages than they would be to pay a lower rate and forego any of them. No doubt to the other class—the emigrants—1*d.* postage with America would be a very great boon; but he doubted much whether it would be as great as some supporters of the ocean penny postage imagined. In the first place, the emigrants did not generally belong to a class to whom letter-writing came very easily, or who corresponded much even at home; and it was also true, as had been already stated, that they adopted another very convenient and perhaps tolerably satisfactory mode of correspondence by an interchange of newspapers. That this was so was shown by the relative proportions of letters to newspapers that passed between the two countries. Last year, when the postage on a newspaper was *d.*, the proportion of newspapers to letters was five to six, whereas in the case of inland correspondence the proportion was one to ten. It was probable, therefore, that the expectation of many persons on this subject would be disappointed. No doubt, if the postage on letters were reduced, it was probable that a considerable number of additional letters would be sent instead of newspapers. But that change would not in any way benefit the revenue. There was another point for consideration. He should be glad to see a penny postage, though he thought that exaggerated expectations were entertained as to the benefits that it would produce. But if a change were made there must be two parties to it. The American Government must be convinced as well as the English Government. Now, his hon. Friend had not given quite a candid account of the negotiations between the two Governments. It was not the case that the United States Government had always been anxious to reduce the postage, and the English Government always interposed obstacles. It was our Government which, in 1857, proposed a reduction from 1*s.* to 6*d.*, and it was the United States' Government which by refusing to adopt so low a rate delayed that step until 1867. It was true that previous to 1867 the American Government took a very different view, and in 1867-8 suggested a reduction to *d.* Not one word which had been said or written tended to show that, if a penny postage were adopted the American Government would accept one-third of a *d.* for the inland postage, which would be a lower sum than they charged for their own letters. Again, he did not know what special reason there was for making the postage to America so much cheaper than it was to other foreign countries. To India the charge was 1*s.* or 9*d.*; to China, 1*s.*; to Canada, 6*d.*; and to Australia, 6*d.* There could be no doubt that if a cheaper rate were adopted for America, there would be an outcry which, probably, would be successful for a reduction of the postage to many other foreign places. That might be a very good thing; but it could not be effected without a serious sacrifice of revenue, because experience had shown that a reduction of postage to a foreign country was not followed by any very rapid increase in the number of letters. The House must therefore be prepared to consider whether those advantages were worth a considerable sacrifice of public revenue. He must also point out that the alternative system proposed by his hon. Friend would be a complete novelty. It would be novel not only to this country but, he thought, to any country. It had not hitherto been the plan of any country to adopt two rates of postage for letters passing between the same places by the same route. The system hitherto adopted in this country had been to adopt the best system of transit we could, and pay a fair remuneration for it. They did not charge one rate for letters by the Limited Mail to Scotland, and then send another, at a cheaper rate, by the luggage train. He did not mean to say that the fact of the plan proposed by his hon. Friend, being against all previous practice, was an insuperable objection to it, nor did he mean to say that, except the loss of revenue, there was any great objection to it. It would be impossible to say what sacrifice of revenue it would entail, because we could not say how much of the purely mercantile correspondence would continue to go by the quick steamers, and how much would go by the slow steamers; but no doubt the loss of revenue would be considerable. In accordance with the terms of our Convention with America, we were bound to consider the question of the reduction of the postage at a time not now very far distant; and if his hon. Friend were not disposed—as he hoped he was not—to press his Resolutions to a division, he could assure him that he was willing to consider with the United States Government what reduction might be made in the whole of the postage between the two countries, and also to consider his hon. Friend's proposal of alternative rates. His hon. Friend would see that, while he thought there were objections in detail to all of his Resolutions, which went rather further than was expedient, he sympathized with him in principle. He believed it was quite possible, without any sacrifice of revenue, to make the reduction proposed by the United States Government—a reduction to 3*d.*—even under the existing contract, in three or four years, and if the House should be willing to make some sacrifice of revenue, that reduction might, perhaps, be made at an earlier period. Under these circumstances, he hoped his hon. Friend would not press his Resolutions.

Mr. SEELY, referring to the evidence of the late Chancellor of the Exchequer (Mr. Hunt), said that the right hon. Gentleman told the Committee that, when he spoke of the sum of £101,700, he alluded to the sea postage. He thought that the Reformed House of Commons would only do a gracious thing in reducing the postage in such a manner as would enable poor people to communicate with their relatives across the Atlantic, and he believed they might do so without loss of revenue. If the United States would not agree it was not their fault. All he asked the House to do was to pass a Resolution which would compel the Postmaster General to enter into negotiations with his brother Postmaster General of the United States.

Mr. HUNT said, he had not intended to take part in the debate, unless some attack were made on his conduct, and as he understood none had been made he did not consider it necessary for him to occupy the attention of the House upon the Motion, having so fully addressed the House upon the subject on a former occasion. He, however, felt bound to make one or two observations on what had been said, because the hon. Gentleman the Member for Lincoln (Mr. Seely) had pointed out that he had stated in his evidence before the Committee that the sea postage and not the gross postage amounted to £101,000. The noble Lord the Postmaster General, in order to show that he (Mr. Hunt) knew that the £112,000 upon which the calculation was based was the gross postage and not the sea postage, had quoted a letter, dated the 12th of October. But the noble Lord had failed to observe that that was a letter to the Treasury, and referred to a communication which had been previously made to himself, and also to a letter of the 1st of October to the contractors. Now, the fact was that he gave authority to make the reduced offer to the contractors in one of the last days of September—he believed it was the very last day of that month—and the letter from the contractors to the Post Office was written on the 1st of October. The letter of the 12th of October, to which the noble Lord referred, was the official communication recounting all the proceedings sent by the Post Office to the Treasury, and that was not the letter he received before being empowered to make the contract. What occurred between the Post Office officials was by word of mouth. When he asked for the estimate of the postage that would be earned he certainly understood that the estimate given referred to the sea postage, though it was but fair to the gentleman who gave that estimate to state that that gentleman understood it otherwise. It was, however, on the understanding that it was the sea postage that he made the contract, and it was on that supposition that he addressed the House the other day.

Mr. GLADSTONE said, his noble Friend the Postmaster General had pointed out the difficulty which would attend the substitution of an uncertain for a certain period in reference to the contracts, but his noble Friend had omitted to state what would, he believed, be more satisfactory to his hon. Friend the Member for Lincoln (Mr. Seely)— that the Government intended to propos that in these cases where it was the prac tice to lay the contract on the table o the House a plan should be substitute by which the judgment of the Hous should be distinctly taken. It was th intention of the Government that on suc occasions a Vote should be asked for an then the opinion of the House would b distinctly taken and the responsibility the Government become complete. Th change, however, involved much co sideration, and would require that t Resolution by which proceedings we now directed should be rescinded. I trusted, however, that his hon. Frie would be content with that statemen and not press his Motion.

Mr. AYRTON observed that the suggestion made by his right hon. Friend at the head of the Government could not be carried out at once, because it would be necessary that the Resolution by which the present practice was regulated should first be rescinded. The suggestion, when acted upon, would relieve the House from considerable embarrassment, because at present there was no rule by which the decision of the House should be invited; and that opinion might be taken either at the instance of a private Member or by a Member of the Government. He hoped, after what had been stated, the hon. Member (Mr. Seely) would withdraw his Resolution.

Mr. SEELY said, he would withdraw his first Resolution, and propose the second one of which he had given notice.

Motion, by leave, *withdrawn.*

Motion made, and Question proposed,

"That Contracts for the conveyance of Mails to the United States should not in future be made for longer than three years, and that the payments should be regulated by the number or weight of letters, newspapers, &c. conveyed."—(*Mr. Seely.*)

Mr. GLADSTONE said, that the Resolution was one which could not be said to err as far as its matter was concerned. The Government were not prepared to say that it might not be possible to go even further than this Resolution did, and to take even a shorter period than that mentioned by his hon. Friend. As he, however, believed that they were not at present in a position when the House could fairly be asked to decide such a matter, he should certainly, if the Resolution were pressed, move the Previous Question.

Mr. SEELY said, he would withdraw the Resolution, but would certainly press the third, which he now proposed.

Motion, by leave, *withdrawn.*

Motion made, and Question proposed,

"That, proposals having been made for a regular conveyance of Mails to the United States at the freight of a penny per ounce of letters conveyed, negotiations should be entered into with the United States Post Office, for the establishment of a penny postage, which shall include the inland rates in the two countries, as well as the sea conveyance."—(*Mr. Seely.*)

Mr. AYRTON trusted that his hon. Friend would not press his Resolution in the terms in which it was framed after the assurance which had been given by the Government, because it was quite impossible that that House should in a moment commit itself in a most precise manner to the particular form in which arrangements should be made for fixing the rate of postage to the United States. The hon. Gentleman had rendered great service by bringing this question under the consideration of the House, and the hon. Gentleman must be aware that nobody sympathized more than he himself did with the object in view. Indeed, in the last Parliament he was one of those who pressed its consideration very strongly upon the late Government, and he was then very anxious to obtain an opinion of the House averse to the course pursued, because he felt that if we were to be committed to any prolonged contract it would interpose very serious obstacles in the way of a reduction of the postage to the United States. The House, however, in the last Session refused to adopt the view he advocated, and the contracts having been made before the advent of the present Government to power they now found themselves in a very different position. But it was now almost impossible for the House to bind and pledge itself that it would take the precise course suggested by his hon. Friend, although the Government were as anxious as his hon. Friend was that the postage between this country and the United States should be reduced at the earliest possible period, and in the manner that might be found most practicable. He would, therefore, suggest to his hon. Friend that he should be content with the general expression of opinion which had been given that evening. If his hon. Friend was not content with the assurances which he had received, he would propose that those assurances should be put in a more distinct form by the Resolution that he would now propose—

"That it is expedient that Her Majesty's Government should take into consideration, and should endeavour to learn by communication with the Government of the United States, whether it is practicable to establish a greatly reduced rate of Postage between the two Countries."

It was quite clear that Her Majesty's Government could not take this matter entirely into their own hands. It must necessarily be the subject of considerable negotiation with the Government of the United States, and he should like to know what would be the position of Her

Majesty's Ministers if they were compelled to approach the Government of the United States with precise instructions from the House of Commons. He would be rid of all responsibility as a negotiator; but if he went with a general indication of what was desired, he would have all the advantages he had a right to demand in carrying on negotiations. Therefore, he trusted the House would not take a course so embarrassing to the Government as that suggested by the hon. Member, but would believe in the assurance given by the Government, and put in the form of the Resolution he had read; and he hoped the hon Member would leave the matter in the hands of the Government to be carried out as time and circumstances might permit. He concluded by moving the Resolution as an Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is expedient that Her Majesty's Government should take into consideration, and should endeavour to learn by communication with the Government of the United States, whether it is practicable to establish a greatly reduced rate of Postage between the two Countries." — (*Mr. Ayrton.*)

Mr. E. T. HAMILTON said, the Resolution proposed to be substituted for that of the hon. Member for Lincoln was nothing but a vague undertaking on the part of the Government to enter into negotiation with the Post Office authorities at Washington. He should be sorry to throw distrust on the sincerity of the Government, but he could not forget an observation which had fallen from the noble Lord the Postmaster General, which showed that he endorsed the views of Mr. Scudamore, and was of opinion that we were justified in taking the whole postage as a set-off against the subsidy. For that reason he hoped the hon. Member would adhere to his Resolution as being much more definite than that of the Government. A serious objection to the latter was that it omitted to record the important fact that a distinct offer had been made to carry the letters from this country to the United States at 1*d.* per ounce, or one-third of a 1*d.* per letter.

The Marquess of HARTINGTON: The objection we feel to the Resolution of the hon. Member for Lincoln is that it is somewhat too definite. It prescribes too precisely the manner in which we are to approach the Government of the United States and to conduct the negotiations. No doubt, it is an important element in the case that the offer referred to has been made; but it is perhaps assigning too much importance to it to embody it in the Resolution. Offers have been made by respectable companies to carry letters at a 1*d.* per ounce, but we have no absolute security that these companies would be willing and able to continue for a length of time to carry the mails at that rate.

Mr. GLADSTONE: The hon. Member for Lincoln has already expressed his willingness to withdraw his own Resolution. It is hardly consistent with respect to a foreign Government to indicate so precisely in a Resolution of the House of Commons the method to be adopted. Nothing could be more businesslike than the speech in which my hon. Friend sketched his plans, and I should be glad if his expectations could be realized, but it would not be convenient to the Government to go to the Government of the United States bound so minutely, and it would not be respectful to commence negotiations with a definiteness which should rather belong to their conclusion.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Resolved, That it is expedient that Her Majesty's Government should take into consideration and should endeavour to learn by communicatio with the Government of the United States, whether it is practicable to establish a greatly reduce rate of Postage between the two Countries.

IRELAND — PRESS PROSECUTIONS— CASE OF MR. O'SULLIVAN.

MOTION FOR A SELECT COMMITTEE.

Mr. G. H. MOORE rose to call th attention of the House to a statemen made by Mr. O'Sullivan of Kilmalloc having reference to his detention an treatment as a prisoner in Ireland und the Lord Lieutenant's warrant; and move for a Select Committee to inqui into the treatment of prisoners w may be detained under such circu stances, and against whom no char may be preferred. Although the hour was late, he hoped that the House would listen to the case of his suffering fellow-countryman, who had been subjected to a long and cruel imprisonment, to great and unnecessary personal pain and indignity, without a trial, without any charge having been preferred against him, and without the opportunity of appeal to any regularly constituted tribunal. Mr. O'Sullivan, who was not of Cork, belonged to a class that, of all others, had deserved the support and assistance of the Irish Government, for upon the good-will of that class the peace and prosperity of the island mainly depended. He was a most respectable, intelligent and industrious man. He was an hotel keeper, a commercial man, an agriculturist, in fact, engaged in all the spheres of industry that were open to an Irishman in his native country; he was a man of influence and worth, and as such he had, of course, fallen under the suspicion of the spies and myrmidons of the Government. It thus happened that when the flame of discontent burst out in the South of Ireland, Mr. O'Sullivan was looked upon as one of the exciting elements of the disturbance. He would assume, for the purpose of argument, that Mr. O'Sullivan was arrested upon sufficient grounds, and he had no charge to bring against the Government, who were no doubt actuated by honourable and praiseworthy motives. Did he regard the cruelties and indignities inflicted upon Mr. O'Sullivan as exceptional he would not have troubled the House with his case; but it was because they were recognized as proper in the case of men against whom no actual offence had been charged, that he wished to call attention to the subject. No one ought to be treated as guilty until he had, at any rate, been charged with some offence; and even though it might be necessary, in exceptional circumstances, to arrest men against whom no specific charge was alleged, he thought that such men should, during their imprisonment at any rate, be treated with exceptional consideration. Mr. O'Sullivan stated in his petition that he was arrested on the 5th of March, 1867, taken twenty-one miles to Kilmarnock the same night, taken before a magistrate, and was sent to prison as a Fenian agent. Five days after he had been arrested the governor of the prison informed him that he had received the Lord Lieutenant's warrant for his detention. He was not allowed to write to his wife, or to write to any one of the nine firms for whom he did business, though he represented that the ruin of his business would follow from his not being able to write to his employers. On the night of his arrest he was put into a bed the sheets of which were black with dirt, but when he complained of the dirt he was told that the sheets could not be dirty, because the last man who slept in them had only committed an assault. He asked to be allowed to wear his trousers during the night, but was refused, and stripped naked to search him, and his clothes, with the exception of his shirt, were thrown outside the cell. He could not sleep in consequence of the thinness of the covering, and had to get out of his bed during the night with cramps. [*Laughter.*] He (Mr. Moore) did not see what there was in this description to excite laughter. The warder called the petitioner "Sullivan," and when he said there was an "O" to his name, the warder asked him how dare he dictate to him, and ordered him into his cell, and the governor deprived the petitioner of that day's exercise. A number of mice got out of his bed clothes, and he had to strike the bolster to drive them away, and they nibbled a hole in his pocket. One day, when going round the ring, he saw a young man from Kilmallock, and smiled at him, and the warder said he would cool him by putting him on bread and water if he laughed any more. He was fourteen days imprisoned before he could see an attorney, twenty-eight days before he could write a letter, and 120 days before he could see his wife and children. He had to walk round the ring without speaking a word, though the convicted prisoners, comprising pickpockets, were allowed to speak. He saw a convicted prisoner with sore eyes washing his eyes in a bucket, and the bucket was afterwards brought about with water to drink. When confined to bed his wife came from the country, twenty-one miles, to see him, yet the governor refused to let her because it was not the regular visiting day. The washing basins were filthy, and he had to empty the slops in his cell. While so ill that he sent for an attorney to make his will, he was ordered to Mountjoy Prison, was handcuffed, and subjected to other indignities. In addition he lost his license, owing to his absence from Kilmallock. The petitioner stated that he wrote several times to Lord Mayo on the subject of his imprisonment, and that when the order for his discharge was granted it was on the condition that he should not visit the county of Limerick until after a certain period. The petitioner was a most respectable Irishman, and he prayed for an inquiry, and for some measures being adopted to protect the liberty of Her Majesty's subjects in Ireland. The hon. Member then read a letter of the right hon. Gentleman (Mr. Gladstone) from Naples, in which it was stated that in Naples imprisonments were made without any written authority but the word of a policeman—the men were seized and imprisoned, and their papers, and whatever else degraded hirelings might choose, carried off; and in the preliminary examination were allowed no legal assistance; and though the political prisoners had a separate chamber from the others, there was but a small division between them, and that only for one half-hour in the week were they allowed to see their friends outside the prison. He declared there was no distinction between the statements made by the right hon. Gentleman and those of the Petition, and he did not think that any one on either side of the House would justify either to the public or to his own conscience the infliction of such cruel indignities upon a fellow-subject, against whom no civil offence had ever been charged. He also claimed that he was entitled to the favourable attention of the House in this matter, as some twenty years ago, when the Government of the day called for the suspension of the Habeas Corpus Act in Ireland, he alone, of all the Irish popular party, believing it to be necessary, voted and spoke in its favour, and he did so at the sacrifice of great popularity and credit among his constituents. But in taking that course he supposed that the Government of the day would be bound to exercise its powers in the spirit in which they were given. No one knew how soon another Government might ask for fresh powers of a repressive character in Ireland; and it was well that the House should ascertain how the terrible powers with which authority had previously been invested in that country had been exercised. He, therefore, moved for a Committee to inquire into the treatment of political prisoners, especially of those who might have been detained in custody under exceptional circumstances, without any special charge ever having been preferred against them; and in doing so he believed he was acting, not only in the interests of the liberties of the people, but of the credit of the Government.

Mr. SYNAN, in seconding the Motion, agreed with the hon. Gentleman in thinking that Mr. O'Sullivan's Petition disclosed a state of facts unworthy of the administration of justice in Ireland, provided the administration of justice there had anything whatever to do with it. But he thought the facts referred to seemed to bear more on the conduct of the governors and officer of the prison than on that of the Government. How was it possible that the Lord Lieutenant or the persons at the head of the Government of Ireland could be aware of what was being done by the governor and officers of the gaol of Limerick? If the facts detailed in the Petition had been brought before the Lord Lieutenant or the Chief Secretary, he was confident that the governor and lieutenant governor of the gaol would hav been called upon to explain their conduct with respect to Mr. O'Sullivan, an to treat him in a manner very differen to that represented in his petition. H (Mr. Synan) had brought forward, i 1866, a Motion respecting the treatmen of political prisoners; and the effect c it was that the Government of the da was obliged to remove those prisone from the gaol of Limerick to Mountjo Prison. Whether the treatment the was different he had no opportunity knowing; but as Mr. O'Sullivan had n complained of it, he presumed there w no reason for doing so. Neverthele when, for the public safety, it was nece sary to suspend the Habeas Corpus Act, was the duty of the Government to ta care that political prisoners who we deprived of their liberty, without bei brought to trial, should not be placed the mercy of the governors and su ordinate officers of county gaols, b should be treated in a manner consist with their social position and charact He saw no substantial difference tween the treatment said to have be received by Mr. O'Sullivan and t dealt out to the Neapolitan prisoners, according to the narrative of the right hon. Gentleman the present Prime Minister. In regard to Mr. O'Sullivan's case, it might fairly be said—

> "Pudet et hæc opprobria nobis
> "Et dici potuisse, et non potuisse refelli."

He trusted that the explanation they would hear from the Government would answer the last part of the lines which he had quoted, and would fully satisfy the House and the country that in future no such conduct as that of Mr. O'Sullivan would again occur in that free land.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the treatment of political prisoners, particularly of those who may be untried; and of those who, under exceptional circumstances, may be detained in custody, without any special charge having been preferred against them."—(*Mr. George Moore.*)

MR. CHICHESTER FORTESCUE said, the hon. Gentleman who had brought forward that Motion was undoubtedly well entitled to call the attention of the House to the Petition of a countryman of his who complained of unjust and improper treatment in an Irish county prison; and there was no reason to complain of the hon. Gentleman's Motion, either as to its substance, or, for the most part, as to the language with which it had been supported. For himself, he approached the subject with very great impartiality, because, both personally and as connected with the present Government, he was not responsible for any of the circumstances which had just been brought under their notice. But, as far as he understood the case, he must say that the responsibility of the late Government in the matter was of a very limited kind, because it was essential that the House should understand that those events, so far as they were correct—and he did not admit the correctness of many of the allegations of Mr. O'Sullivan's Petition—occurred in a prison which was not in the hands of the Government, but in the hands of local authorities, over whose acts the Government by law had no control whatever. The hon. Member was rather vague in his mode of dealing with the important question of the conduct of Mr. O'Sullivan before his committal to the Limerick county prison, and the justification of the late Government in so committing him under the Lord Lieutenant's warrant. The hon. Gentleman did not go so far as to affirm that Mr. O'Sullivan had not been connected with the Fenian conspiracy, and the attempted rising which would have spread desolation and bloodshed over Ireland.

MR. G. H. MOORE explained that he had expressly stated that he had raised no question as to the propriety of the arrest, and had admitted for the sake argument that there were proper grounds for it.

MR. CHICHESTER FORTESCUE said, he was glad to accept that admission of the hon. Member. The fact was that Mr. O'Sullivan was arrested under the exceptional powers which Parliament thought it necessary to confer on the Executive Government, and upon reasons which were absolutely convincing to the late Government, that Mr. O'Sullivan had unfortunately allowed himself to be deeply involved in the Fenian conspiracy. Of course he could not say whether, formally speaking, he was a member of that confraternity; but the late Government had every reason to believe that he, his house, and his establishment in Kilmallock formed an active and dangerous centre of the Fenian conspiracy in a part of Ireland which, within a day or two of his arrest, might have been the scene of lamentable proceedings, but that, fortunately, they were soon suppressed. Under those circumstances Mr. O'Sullivan was committed under the Lord Lieutenant's warrant, to the gaol at Limerick, and certainly his treatment there was a fair subject to be brought before the notice of the House. When he saw the Petition, and the hon. Gentleman's Motion in reference to it, he took the course which he thought it his duty to take by sending down to Limerick county prison one of the Inspectors of Prisons in Ireland—a man of high character, kindly nature, and perfect impartiality—to inquire upon oath into the statements contained in the Petition. It was necessary for the House to bear in mind the time and the circumstances under which Mr. O'Sullivan was committed to the Limerick prison. He entered it a day or two before the rising in the South of Ireland, and the rising occurred in Kilmallock itself, the native place of Mr. O'Sullivan, whose son unfortunately took part in it. At that time there was, undoubtedly, great apprehension on the part of the local authorities, and it was hardly surprising that the discipline of the gaol should have been extremely strict. It was thought necessary to take the utmost precautions to prevent the spread of excitement and insubordination which prevailed to a dangerous extent among the large number of prisoners incarcerated in that prison, and also to prevent their effecting their escape. This would in itself account to a great extent for many of the apparent or real severities alluded to in the Petition. Without going into all the particulars therein set forth, he would allude to a few of them. As to Mr. O'Sullivan being searched, for instance, that was a precaution taken with regard to all prisoners when there was any fear that they might escape. As to the allegation about Mr. O'Sullivan's suffering from cold, it had since been stated upon oath that no complaint on the subject was made at the time, or, in fact, until now. It was true that communication with his family and friends was at first prohibited, and, in his opinion, the restriction was continued longer than the necessity of the case required. The Board of Superintendence laid down a rule at the time of the rising that there should be no communication whatever allowed between political prisoners and their friends. The Inspector had, however, expressed the opinion that Mr. O'Sullivan ought to have been supplied with writing materials at an earlier time than they were allowed to him. Then Mr. O'Sullivan complained that, while he was not allowed to converse with his fellow prisoners, the privilege was accorded to the ordinary convicts in the prison. All the gaol authorities, however, denied the correctness of this assertion. In point of fact, Mr. O'Sullivan was, in regard to this matter, labouring under a delusion, which was easily accounted for, because the exercise yard in which he was allowed to walk was the yard devoted to the lunatics, of whom there were many then in the prison, and to whom the rule of silence was not extended. There was a rather important allegation in the Petition as to the inconvenience and annoyance to which Mr. O'Sullivan was subjected by the admission of visitors to the prison. It was true that on a few occasions that was permitted by the governor of the gaol, and some visitors were allowed to stare at the political prisoners through the spy-holes of their cells, that fact was ascertained by the then high sheriff of the county of Limerick, who was a member of the Board of Superintendence. He at once brought the subject before the Board, and that improper proceeding on the part of the governor was at once put a stop to. It would be unnecessary for him to go more fully into Mr. O'Sullivan's allegations, which, after careful inquiry he had ascertained to be evidently marked with a large amount of exaggeration and misrepresentation. At the same time he admitted his impression was that Mr. O'Sullivan was treated, while in Limerick Gaol, with an amount of severity which was beyond the necessity of the case, and it was worthy of remark that neither Mr. O'Sullivan nor any of the other political prisoners made any complaints of the treatment they received in Mountjoy Convict Prison, which was under the care of the Executive Government. If the Habeas Corpus were at present suspended he should think it his duty to take care that all untried prisoners who might be detained for the purposes of public safety should be placed in the hands of the Government alone, and not intrusted to any local authorities over whom the law gave the Government so imperfect a control. When, however, the hon. Member called on the House to appoint a Committee of Inquiry into facts which he assumed likely to be of future recurrence, he differed as to the necessity or propriety of that step. He was not prepared to assume that the suspension of the Habeas Corpus Act would be the normal or ordinary state of things in Ireland. On the contrary he entertained the most sanguine hopes that its suspension would not be again required; but if it unhappily should, it would be the duty of the Government to make the arrangements to which he had referred for the detention of untried political prisoners. Under all these circumstances he hoped the hon. Gentleman would withdraw his Motion.

Mr. HENLEY said, he thought this was a question well worthy the consideration of the Government. Those who had the management of gaols must feel how important this subject was, because the class of persons who came in under such commitments as that referred to came under no ordinary description at all. Some twenty-five years ago Parliament was obliged to provide for the special treatment as "first-class misdemeanants" of prisoners sentenced for political offences. That distinction in prison discipline for convicted prisoners was made in consequence of a considerable number of persons in this country being sentenced for sedition. The Act then passed provided that if the court thought fit they might order convicted persons to undergo imprisonment as first-class misdemeanants. As such they had proper diet, and were not compelled to do menial offices. If legislation of this kind had been found necessary for convicted prisoners *à fortiori*, it was required as regards unconvicted prisoners who were detained for the purposes of the public safety. Some hon. Gentlemen might recollect prisoners being sent to Reading Gaol, and the Executive Government of the day refused even the Visiting Justices access to them. The Government ought to determine upon proper rules, so that these complaints might not arise. As he understood the Motion, it was merely prospective and in illustration of what might occur. He doubted, however, very much whether the appointment of a Committee would be the most convenient course to pursue. It was, he thought, rather a matter for the attention of the Executive, and it should be for them to lay down proper rules and append them to the Gaol Acts. We should then be freed from the difficulties which would arise from the different views taken by different authorities concerning the treatment of prisoners.

Mr. BAGWELL approved the suggestions which had been made by the right hon. Gentleman opposite (Mr. Henley). In answer, however, to what had fallen from the right hon. Gentleman the Chief Secretary for Ireland, as a member of a Board of Superintendence of a county gaol for many years, he could bear testimony to the fact that the local authorities could not put any rules in force until they had received the confirmation and approval of the Government. He maintained, therefore, that the authority in these matters rested, not with the magistrates, but with the Executive Government.

Colonel WILSON-PATTEN regretted that he was not able to enter into the subject with such complete information as he otherwise should have done, owing to the Motion of the hon. Member not having been sufficiently explicit. He believed, however, that an examination would show that the statements made in Mr. O'Sullivan's Petition were not entirely trustworthy. Moreover, the natural course for Mr. O'Sullivan to have taken would have been to complain, if he thought any malpractices existed, to the Inspector, by whom it would have received due attention, and as that had not been done, Mr. O'Sullivan was scarcely entitled at this time to make these complaints. If there was to be any difference in the treatment of prisoners that difference must result from an alteration in the present state of the law by which all prisoners were to be treated in the same manner. As regarded Lord Mayo, he was sure there was no one who would not give him credit for having discharged his duty in the most considerate and lenient manner.

Sir JOHN GRAY advocated the policy of treating prisoners confined for political offences on a different footing from common felons, and suggested the addition to the Motion of words which would empower the Committee to report as to what alteration in the law would be necessary to secure this object.

Mr. MAGUIRE said, he only became acquainted with Mr. O'Sullivan a short time since, and the latter distinctly declared to him he had taken no part in the Fenian movement. On a former occasion, and in answer to a Motion which he had brought forward, the late Secretary for Ireland (the Earl of Mayo) had distinctly promised that he would introduce a Bill by which the punishment of sedition in Ireland should be assimilated to that inflicted for the same offence in England, where the treatment of prisoners confined for political offences was more lenient than it was in the former country. The admissions made by the Chief Secretary for Ireland showed that the hon. Member for Mayo (Mr. G. H. Moore) was fully justified in bringing forward this Motion. Whenever a Government thought it right to have an investigation in a prison it should not be one-sided and partial, and though he made no charge of harshness or cruelty against the Governor of the Limerick gaol, he thought that no such investigation should be carried on unless the party accused were present. A political prisoner should not be treated as a felon; and it was a disgrace to a country to have a political offender treated in the same way as a criminal guilty of some foul offence against the laws.

Mr. G. H. MOORE expressed his surprise that the right hon. Gentleman the Chief Secretary for Ireland should have added to the cruel imprisonment suffered by Mr. O'Sullivan by charging him with having been connected with the Fenian movement. He believed that charge to be utterly unfounded. Since his liberation Mr. O'Sullivan had declared solemnly upon his oath, before a Bench of magistrates, that he had no connection whatever with that movement. With regard to the statement of the right hon. Gentleman that the prison in question was not under the control of the Executive, he thought it most unjust that any Government should place those whom they had caused to be arrested under the extraordinary powers granted by Parliament under special circumstances in prisons over which they had not complete control. He entirely adopted the suggestion of the right hon. Member for Oxfordshire (Mr. Henley), and he should, with the permission of the House, alter the terms of his Motion by moving for the appointment of a Select Committee to inquire into the treatment of political prisoners, particularly those who were untried, but especially those who had been taken into custody without any specific charge being made against them. He felt bound, under the circumstances, to press his Motion to a division.

Question put,

The House *divided*:—Ayes 20; Noes 84: Majority 64.

House adjourned at a quarter before Two o'clock, till Thursday.

HOUSE OF LORDS,

Thursday, *3rd June*, 1869.

MINUTES.]—Public Bills—*First Reading*—Customs and Inland Revenue Duties* (111).
Committee—Life Peerages (49-113).

Mr. Maguire

LIFE PEERAGES BILL.

(*The Earl Russell.*)

(No. 49.) COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee.—(*The Earl Russell.*)

Lord CAIRNS: My Lords, there appeared on both sides of the House, on the second reading of this Bill, to be a general feeling that, subject to alterations in Committee, the object which the noble Earl (Earl Russell) has in view might be satisfactorily accomplished. Under those circumstances I reserved until the third reading the right of those who think with me on the subject of deciding on what course they should then adopt, when the Amendments which were proposed to be made in the Bill should have been seen and understood. I have myself placed two Amendments on the Paper; and it may be convenient that before your Lordships go into Committee I should explain the principle on which those Amendments proceed, and the reasons why I think they should be introduced into the Bill. It is of considerable consequence to bear in mind on which this Bill proceeds. Now, there are some points on which no difference of opinion exists in this House. This House is an hereditary assembly, and I hold it to be a fixed and fundamental principle of the constitutional view of this House that it is intended through the medium of an independent hereditary Peerage to furnish a counterpoise to the unbalanced weight which might otherwise attach to that assembly which is elected by popular representation. I think we are also agreed that we do not desire to see this House become a second nominative assembly, named for life by the Government of the day. The feeling of your Lordships, as I understand, in Lord Wensleydale's case was that, if what was then attempted had been unchallenged, the Government of the day would have been able, through the Prerogative of the Crown, to introduce into this House an unlimited number of Members holding their seats for life only. I am aware that it was remarked on the second reading that you always have a check in the exercise of public opinion upon the creation of Members of this House, and that just as that check now operates on the creation of hereditary peerages so would it operate on the creation of life peerages. There is, however, a great difference in the power of the Executive in those two cases, and it is clear that the force of public opinion would not be directed with the same energy with regard to an enlargement of this House by the creation of life Peers, as with regard to its enlargement by multiplying hereditary Peers. Another difference is that while in the creation of a life Peer the Government may, from his personal relations and sympathies, place considerable reliance on his support in Parliament, it by no means follows in the creation of an hereditary Peer that they may calculate on the same amount of support from future holders of that peerage. With respect to the hereditary character of this House, I make no exception, even in the case of the Scotch and Irish Peers, or of the right rev. Bench. The former are persons who already possess hereditary peerages, and the Government has no control over the choice of those who are elected out of their own number to re-represent those peerages. As to the Episcopal Bench, it is true they are nominated by the Crown; but we have a sufficient guarantee that the nomination will be regulated by principles very much higher than could be connected with the mere obtaining of political support in this House. It is said, indeed, that this House is not sufficiently representative in its character, and the objection seems at first sight a very plausible one. It is said that the House is composed of great landowners—and no doubt it contains a great many; but I am sorry to say I know by personal experience that there are other Peers who are not large landowners. Why, however, is a man, because he is a large landower, less able to make up his mind and exercise an intelligent and sound judgment on the various subjects of legislation which come before us, and why should there be any great sameness in your Lordship's mode of looking at those subjects? Anyone who looks at the debates will, I venture to say, find that the charge has very little foundation, for we find that there is even among those large proprietors of land just as much variety of feeling on public questions as we should expect to find in any assembly of English gentlemen. I think, then, we shall agree that it is not the object of the Bill—and that if it were, your Lordships would not be disposed to assent to it—to make this House more of a representative assembly in any proper sense of the term than it is at present. Indeed, if such were its object, it would not accomplish that end, for it suggests no representation or constituency. And if it should be said that the persons appointed under it would be nominated on the advice of the Government of the day, that Government being supported by the House of Commons, and that House representing the country at large, and that therefore those persons would in some sense represent the constituencies and country at large, I should reply that that would be an admission that for the sake of avoiding one kind of monotony you were falling into another, by choosing persons as Members of this House to represent constituencies already represented in the other House of Parliament. If, then, it is not the object of the Bill to destroy the hereditary character of the House, or to introduce a system of representation, what is the object? It was said or suggested by the noble Earl (Earl Russell) that there were or might be from time to time persons whom, from their attainments or great experience of public affairs, it would be desirable to have as Members of this House, and also persons who, from their exertions in the public service, had deserved well of the country, and upon whom the reward of the Peerage might be fitly conferred; and that since there might be some in both these classes who might not be willing to undertake the burden of an hereditary peerage, it was desirable to provide for their introduction into this House as life Peers. Now, I think the evil intended to be remedied by this Bill has been somewhat over-rated. I am not indeed prepared to say that there are not persons of the character the noble Earl has described; but if there have been any noble Lords on one side or the other I must have been aware of such instances, yet I do not remember that a single instance has been positively mentioned. But many instances might be mentioned of persons influenced in an opposite direction—persons upon whom an hereditary peerage would have been conferred, but who were deterred from accepting it on account of their having no family, so that the new honour would have terminated with themselves. I can recall instances of that kind, and so I am sure can many of your Lordships. It does not follow that persons unwilling to accept the burden of an hereditary peerage would, as a matter of course, accept a peerage for life. It is by no means certain that a person would be willing to place his family in such a position that during his life they would have those social incidents which are supposed to attach to a peerage, but that they would lose those incidents on his death. Difficulty might, therefore, arise in the application of this measure. My noble Friend who so long influenced the deliberations of this House as the Leader of the party sitting on these Benches (the Earl of Derby), suggested on the second reading, that inasmuch as the object of the Bill was to deal with those cases, and those cases only, in which there was great personal merit, combined with an unwillingness to accept an hereditary peerage, the grounds on which the peerage was conferred in the form of a life peerage should be stated on the face of the patent. No doubt that would carry out the object which the Bill has in view. There are, however, objections to that course. In the first place, when you come to describe in a patent services or qualifications for which the honour of a peerage is granted, we all know how easy it is to insert in round and sonorous terms a general description of services, and yet to give very little security for the correctness of the application of those terms to the particular case. If, moreover, persons were unwilling for family reasons, to accept the burden of an hereditary peerage, they might not, nevertheless, wish to put on record even a statement which truly described their opinions and sentiments. It appears to me that the object in view may be best accomplished, not by putting on the patent a statement of the motives and grounds on which the peerage was conferred, but by stating upon the face of the Act of Parliament the principle which guided this House in assenting to this legislation—thus leaving a sort of landmark which could be referred to at any future time as describing the motives which influenced this House. That is the effect of the first Amendment I have to propose. In its present shape the Preamble recites the decision of the House in the Wensleydale case; and I propose to add to this a recital—

> "And whereas it is expedient to afford, under certain restrictions, facilities for the introduction into the House of Lords of persons distinguished in the services of the State, or who from their attainments or official position are likely to add weight to the deliberations of the House, and who may not be desirous to undertake the burden of an hereditary peerage."

This will not fetter the Government by any precise description of the persons upon whom the honour should be conferred, but will simply lay down the object which Parliament had in view, leaving the Government to act up to the spirit of the Preamble. On this point there will not, I think, be any substantial difference between the noble Earl and myself; for he now proposes to strike out the enumeration of classes originally contained in the Bill, and to make an alteration in the Preamble, though not to make it quite as explicit as I wish to do—his proposed recital being that it is expedient that a limited number of Peers should be created for life "on account of their eminent merits or distinguished services to their country." I assume your Lordships are prepared to agree to the recital of the Preamble, and the only other question is the limit to which the creation of life Peers is to go. Both sides of the House are agreed that there should be some limit; and the noble Earl proposes that there shall at no time be more than twenty-eight of these peerages, and that not more than four shall be created in any single year. The consequence will be that it will be in the power of the Government, should it be in Office seven years, to create four Peers a year—until the limit of twenty-eight shall be reached—and there will remain to future Governments only the power of filling up vacancies as they occur. My proposition is that there shall be no limit as regards the entire number, and that there shall be power to create one peerage every year, there being no power after one such creation in any year to create a second in the same year, unless the person receiving it shall, at the date of the patent, hold one of the high Offices of State. The noble Earl behind me (Earl Stanhope) proposes, instead of describing the offices categorically, to make the description more general, by providing that, after one such peerage shall have been created in any year, no other such peerage shall be created, unless the person to whom it is granted, shall, at the date of the patent, "hold some Cabinet Office or shall have performed some signal military or naval service in the course of the twelve months preceding." I do not think the term "Cabinet Office" has ever occurred in any Act of Parliament; but there is no reason why it should not be used, as we all know what it means and it is desirable that a person who has performed distinguished services should be made an exception, and be added as a second creation in any year. I wish to adopt the noble Earl's Amendments as better than my own; but the question is whether that limit, or the proposal of the noble Earl (Earl Russell), is the proper one. Now, a great objection to the latter would be the want of uniformity in its working; for while, during seven years, four peerages might be created annually, there would then, in case the twenty-eight were all living, be no power to create any more till a vacancy arose; and, in subsequent years, there would only be the power of filling vacancies. Moreover, the number—four—seems to me too large. I think the creation of so large a number in any one year very objectionable. I have endeavoured to ascertain the number of additions to this House since the Reform Act of 1832; and I find that 117 peerages have been created in those thirty-seven years; and of that number, twenty-four have become extinct or merged. Deducting the cases in which a Scotch or Irish Peer has been made a Peer of the realm, I find that ninety-five Commoners have been created Peers during this period; or, on an average, two and a-half every year. Now, the principle of this measure is, as I understand, to supplement—and not to supersede—the principle of hereditary peerage; and, as far as we can judge of the future by the past, the average of the last thirty-seven years will not, we may anticipate, be very different from that of the future. Thus, there would, under the proposal of my noble Friend behind me, be a power of creating one life peerage, and, perhaps, one and a-quarter or one and a-half a year, as compared with two and a-half hereditary peerages—a relative proportion, which seems to me a very fair one. There is another circumstance which should not be lost sight of. It would be invidious to mention names, but, on looking over those ninety-six peerages, it is satisfactory to be able to say that the list includes a very great number of names of persons whose introduction into this House, on account of their distinguished services, attainments, or official position, could not but have been otherwise than highly beneficial. I have counted up forty or fifty, indeed, as to whom we should all be agreed in applying the Preamble I propose. Those persons, who have been a great ornament to this House, have had no scruple, as far as we know, in accepting hereditary peerages; and can we suppose that during those thirty-seven years there have been, in addition to them, more than thirty-seven other persons whose attainments, experience, or services would have made them advantageous accessions to this House, but who would have been unwilling to accept hereditary peerages, and who have not found a place in this House on that account? That is surely a fair test to apply, when the House is called upon to expand the power of the Crown, by conferring on it the power of creating as many as four life Peers every year. There is another incident to be considered. This scheme is a novelty: and, though I would not quarrel with it on that ground alone, we must remember that it has yet to be tried. It may answer all the noble Earl's anticipations; but, on the other hand, it may fail—and you may find that you do not attain the object—either through the peerages being refused, or through not securing the persons you desire to see added. Now, it is clearly better, to make a safe beginning, that we may see what its effect on the composition of the House will be, rather than begin in a form which is unnecessarily large. I therefore trust that the Amendment of my noble Friend (the Earl of Carnarvon) will be adopted, and I withdraw my own in its favour. My noble and learned Friend opposite (Lord Penzance) — whose presence I hail as a proof that the burden of an hereditary peerage is not entirely of the character which some have represented—proposes that no person shall be created a Peer under the Bill—

> "Who shall not have served the Crown with distinction in either the naval, military, diplomatic, or civil services of the State for a period of at least five years."

Now, it might be easy to determine, whether any person had served the Crown with distinction; but, how would it be possible to determine whether a person had served with distinction for five years? Such a statement might be challenged in a disagreeable way; and it would not, therefore, be well to adopt the terms proposed by my noble and learned Friend. I apprehend that, when we go into Committee, the most convenient course will be to negative the usual Motion, that the Preamble be postponed, in order to discuss the Amendment which I propose in it.

THE EARL OF CARNARVON: I wish to say a few words before we go into Committee; for this question, I think your Lordships will agree with me, is a very serious one, and should be handled with great caution. We are dealing with a very ancient institution, which has struck its roots more deeply in the public mind than some people are aware of, and should it be impaired or subverted by hasty or ill-advised legislation, it would be impossible to retrace our steps. My noble Friend (the Marquess of Salisbury) remarked on a former occasion on the difficulty of speaking of an institution of which we are all Members; but what is the real character of this House? Some of its merits nobody can dispute. Its diplomatic knowledge and skill in foreign affairs is greater than that of any other legislative assembly. Its administrative power is represented by a large number of Members who have held high Offices in the State. Its legal ability is represented by successive heads of the law. The Church is sufficiently represented by those supposed to have been selected as the most able and eloquent of its divines. This House, lastly, enjoys the great advantage of the absence of constituents—which secures its independence; that independence, if collectively less than in former times, being certainly greater individually; for whereas in former times the Crown was able to and did exercise a very great influence on the action of individuals, that influence has altogether ceased. There are, on the other hand, three points on which this House—if I may venture to say so—is hardly equal to its position. First of all, you have the transmission of titles, without, in certain cases, a corresponding transmission of property. That this is an evil is generally admitted; and it is greater now than formerly, because the Crown formerly by the grant of possessions could rectify the difficulty, whereas that power has now ceased. In the next place, I agree with my noble Friend (the Marquess of Salisbury) that the composition of this House is, perhaps, somewhat too uniform in its character. I am the last man to underrate or depreciate the value of an assembly composed in great measure of landowners. Familiarity with land is obviously a great advantage, and I need not point out how very large the circle of that subject is; but where I think the weakness of the House in this respect lies is that there is not a sufficient proportion of Members who are conversant with the other sources of the wealth and industry of the country. Every year you have laid before you measures relating to commerce, trade, banking, and questions of a cognate kind with which we are not thoroughly acquainted. Therefore it is really a question of knowledge; and as the commercial interests and commercial legislation are year by year growing in importance, your Lordships' House ought to comprise individuals competent to deal with questions of trade and commerce. Thirdly—and this is a point which I look upon as the most important of all—I cannot but think—but I am hardly sanguine enough to expect that many of your Lordships will agree with me, that there is a want of what I should call a censorial power in this House. It is, as far as I know, the only deliberative assembly within historical times that has ever been wanting in it. What I have already said will have shown that I am not opposed to mere change, provided that change be well considered, and likely to secure its object. There is scarcely any great institution in this country which has changed oftener, or more in some respects, than this House. Indeed, it has reflected the distinctive character of every age in the history of the country. In feudal times its composition was essentially feudal. At a later date, when the learning and wealth of the country were concentrated in the clergy, it was mainly composed of ecclesiastics. Afterwards it represented the characteristics of the Tudor age; and after the Revolution it became a purely aristocratic and oligarchical assembly. After the passing of the Reform Act of 1832 it still adapted and modified itself to the changed circumstances of the time—and I will venture to tell the House that through these changes it has happened that in all these different times this House has never been wanting to itself—it was generally equal, often superior—and only in the evil times of the Stuarts was it inferior—to the other House of Parliament. And further—in all these changes that have taken place, somehow or other it has managed to retain in public estimation the character of unchangeableness—in the popular opinion it is and has been unchanged in its general structure and its general character. I cannot but think that this is a great advantage. It agrees happily with what I may term the dignity of the character of your House, and serves as a counterpoise to the mere worship of money, as in America, or to the mere worship of rank, as it exists in some parts of the Continent. Coming to the subject of the principle of life peerages, I well remember the Resolutions that were moved on that subject by Lord Lyndhurst, in 1856. I remember—for I had then recently become a Member of your Lordships' House—I well remember the form, the words, the carriage, the tone of voice of the noble Lord, with its cadences unbroken by age, and almost as musical as they ever had been, and I well remember the effect his arguments had on my mind, as, no doubt, on many of your Lordships'. If they carried more than their due weight, I think I, more than anyone, should stand fairly excused. These Resolutions were preliminary to the appointment of a Select Committee on the Appellate Jurisdiction of this House. The Committee recommended, by one of their Resolutions, that there should be added to your Lordships' House four Law Peers, whose peerages should be created for life only. A Bill was subsequently introduced based on their Report, but the number of life Peers was reduced to two, the holders of which should enjoy official salaries of £5,000 or £6,000 a year. Now, I was a Member of that Committee; but I have always had considerable doubt as to the conclusions at which we arrived. I cannot but think that two life Peers with official salaries were either too many, if the principle was objectionable, or too few if any practicable effect was to be produced. It touched only one, and a very small part of the question—namely, the judicial functions of this House. The real object of life peerages is not to represent different interests in an elective sense, as my noble Friend (the Marquess of Salisbury) has been so much taken to task for saying, but that this House should be a supreme court of review in legislative matters as it is a supreme court of review in judicial matters. Can that, however, be done without loss of popular power and prestige on the part of this House? I think it may be best accomplished by some form of life peerage; but is the form proposed by the noble Earl (Earl Russell) the one best calculated to effect the object in view? On this point I entertain some doubt. The noble Earl argues, and quite fairly, that many men of ability who are unable to obtain seats in the House of Commons might be brought into this House by the operation of such a measure. But *ex hypothesi,* a very large proportion of these will be poor men, and therefore you will confer on men confessedly poor, and unable or unwilling to accept an hereditary peerage, the necessity of maintaining the dignity of a coronet, and that a coronet of an exceptional kind. Now, I cannot but apprehend that they will find themselves placed in a false position, and will feel themselves asked to accept an honour which is almost in the nature of a sham. If, on the other hand—as I admit that it would be a great gain to the House if we could secure the presence of men of great eloquence and ability—you were to confer power to sit and vote in this House as plain gentlemen, without any title or particular distinction, there would be a compliment paid to them and their ability; there would be the advantage to this House, whatever it might be, of their eloquence and ability; and lastly—which is the highest recommendation of all—there would be the minimum of disturbance in the existing system. This, indeed, it may be said, is an anomaly; but it is not more of an anomaly than that which already exists. At this moment you have hereditary Peers who are not Lords of Parliament, and Lords of Parliament who are not hereditary Peers. You are now asked to create Lords of Parliament who are not to be hereditary Peers. For my own part, I think it would be desirable to create life peerages by one or other of the methods proposed, provided that a number is to be fixed not to be transgressed, and that the persons called up to this House by the Crown are in every case Members of the Privy Council. I will next refer to the number of life Peers it is proposed to create. The noble Earl opposite (Earl Russell) proposes to limit that number to twenty-eight, while the noble and learned Lord (Lord Cairns) proposes to remove all restrictions with respect to qualification, but to restrict the creation of such peerages to one a year, but allowing in addition one Cabinet Minister per annum to be raised to that dignity. Now, it appears to me that this proposal would permit a much larger number of life Peers to be created than that of the noble Earl opposite—and for this reason. There are twenty-eight Irish Representative Peers sitting in this House, and I find that vacancies occur among them at the rate of about one per annum—which will give the noble Earl twenty-eight life peerages. But the noble and learned Lord proposes that, in addition to the creation of one life Peer per annum without restriction of qualification, any Cabinet Minister may have such a peerage conferred upon him. Now, the average duration of Parliaments since the accession of William IV. to the year 1865 I have ascertained to be three and a-quarter years; but assuming that the average duration will in future be four years, and assuming that two Cabinet Ministers have life peerages conferred upon them in each Parliament, in twenty-eight years we shall have fourteen creations of Cabinet Ministers *plus* the twenty eight unrestricted creations; which will give a total of forty-two creations in that period. If we assume that there will be three creations of Cabinet Ministers in each Parliament, then we shall have in the same period forty-nine creations. Therefore, it appears to me that the proposal of the noble and learned Lord goes far beyond that contained in the Bill. It is right that in a matter of this kind we should ascertain well what is likely to be the result of proposals of this kind before we adopt them. I have given notice of some Amendments upon the Bill, with which I will not trouble your Lordships at the present moment, which will give some security as to the merits of the persons upon whom such dignities may be conferred. I am exceedingly anxious that, whatever may be the result of this measure, no mere political partizan shall be admitted to this House under the provisions of this Bill. It remains, however, to be seen whether two orders of Peerages—hereditary Peers and life Peers—can co-exist in the same system. In looking back upon history, we find in the Roman Senate — which certainly lasted longer than any other deliberative body—an illustrious example of two such classes sitting side by side in the same assembly, and that assembly has been justly called "an Assembly of Kings." On the other hand, the experiment of hereditary and life peerages has been tried in France, and has, undoubtedly, signally failed. It is, however, only fair to state that the history of the French Peerage since the Restoration has been a history of *coup d'états*, and it is only marvellous that the Peerage has survived at all. The genius of the English Constitution has always been in favour of unmixed assemblies; and if a great change like that contemplated by the Bill is to be effected in the constitution of this House, I think that that change should be made gradually; and, no doubt, under the provisions of the Bill that object would be attained. I will, in conclusion, only touch upon one other point. It is of the utmost importance that the unity which, at times apparent, and at others latent, has always existed between the two Houses of Parliament, should be maintained. In former times this unity was secured, sometimes by direct, and at other times by indirect means; but I cannot help feeling that recent constitutional changes have had a tendency to shake that unity. As matters now stand, that unity can only be secured by one of two ways—either we must yield upon every point to the Lower House of Parliament, which would be mere weakness; and I, for one, say that political existence upon such terms would not be worth having, that it would not be creditable to us or useful to the nation—or we must increase our strength, and so maintain a complete equality in argument and in debate with the Lower House of Parliament; and that can only be obtained by calling to this House those who will bring with them ample knowledge of the various subjects which may have to be debated. In modern times a great variety of interests have sprung up which look to Parliament for an exposition of their case. It is doubtful whether the House of Commons, as it is now constituted, is likely to supply the knowledge requisite for the proper determination of many of these various questions. This House, then, would be disloyal to itself if it failed to secure to itself all the assistance which could give them command over those subjects—by recruiting to itself all the knowledge, the wisdom, the eloquence, which would enable them to perform a great part in the legislation of the country. I regret that I have occupied so much of your Lordships' time, but I was anxious to lay my views upon the subject before your Lordships now, so as to avoid making any unnecessary remarks in Committee.

LORD PENZANCE: The noble and learned Lord opposite (Lord Cairns) has pointed out to your Lordships the grounds upon which he believes that this Bill ought to be passed into law, and the grounds upon which he has put forward the Amendments he proposes to make in the Bill. I think that there is a great convenience in discussing all these Amendments together; because, in truth, as soon as the House has arrived at the principle upon which it intends to act—as soon as the House has made up its mind with reference to the grounds, the purposes, and the object with which this great change is to be made—then, and then only, will you be in a position to estimate the proper safeguards that ought to be placed upon the power proposed to be given by the Bill. I must, in the first place, thank the noble and learned Lord for the valuable criticisms that he has offered upon the Amendments I have laid before the House, and I will venture in return, to point out that the Amendment of the noble Earl (Earl Stanhope) which the noble and learned Lord has adopted in lieu of his own, is open to precisely the same remarks. The noble and learned Lord has objected that it might be difficult to define the meaning of the words in my Amendment "served the Crown with distinction for a period . . . . of at least five years." I in return might ask for a definition of the words in the noble Earl (Earl Stanhope's) Amendment "shall have performed some signal service." But I ought in candour to confess that I think my noble and learned Friend's criticism is just, and that the words "signal" and "with distinction" should be omitted from all these Amendments, because it is difficult accurately to define their meaning. Passing by that trifling matter, I will at once come to the subject your Lordships have to consider. And, in the first place, allow me to ask what is the principle upon which it is proposed that we should make this great—for it is a great change in the constitution of this House? I can hardly believe that your Lordships will be content to make this great fundamental change in the hereditary character of this assembly for the sole purpose of admitting now and again some one individual whose knowledge may be of service in the debates and contests that here arise. I rather think that the considerations presented to your Lordships by the noble Marquess opposite (the Marquess of Salisbury)—considerations connected with the nature of this assembly and the desirability of its being in some sense representative of the interests of the country—had weight with your Lordships when you accepted this Bill and gave to it a second reading. It is quite true that this is not an elective assembly; and it is quite true that, through the medium of any organization efficient for that purpose, it is not a representative assembly; but it is equally true that, in the spirit of the Constitution, it is intended to represent the community, and to reflect the interests of the people at large. Your Lordships do not sit here in assertion of your individual rights, or for the protection of your individual interests; you sit here as representatives of the community. There is no doubt that the most stable feature in all Constitutions is that feature which connects itself with landed possessions; and the House of Lords, in its constitutional aspect, represents the favour of the Sovereign and the power of land. The favour of the Sovereign, constitutionally exercised, is the reward of the subject. The power of the land is nothing but the accumulated frugality of the people. As far as the House of Lords represents these two ideas faithfully it holds its place in the Constitution. But now the question is, with the changes which have occurred in modern ideas, and with the alterations that have ensued in the conditions of society, are the same relations still maintained—does the House, in truth, continue to reflect, as it has hitherto reflected, the interests of the nation? It is impossible to review what has occurred within the last twenty, thirty, or forty years without being sensible of the fact that there has been a vast change in the House of Commons, and that a great advance has been made in the democratic direction. No one will deny that it is of supreme moment that this House should be in harmony with the other House of the Legislature; and if that change has occurred, and that advance in a democratic direction has been made—which nobody can deny—it is of supreme moment that this House should not thereby be placed out of harmony with it. How is the difficulty to be overcome? For I apprehend that if your Lordships pass this Bill, some idea of the kind must have place in your minds. It can only be overcome by conciliating and attracting to this House the active intelligence of the country—of course in a certain proportion. That the great body of the House should continue to represent realized property is desirable, and, indeed, almost necessary; but that it should also represent the active intelligence of the country, tried official capacity, and distinguished public service in any of the great public Departments of the State is, I think, what nobody will say is otherwise than desirable. I apprehend it is for some such purpose as this that the noble Earl has introduced this Bill. He desires to introduce into this House a certain number of Members familiar with business, whose habits of mind and training—training probably in the public service—fit them to take part in all discussions of a character properly falling within the functions of the Legislature. My noble and learned Friend (Lord Cairns) said that those who possessed land were not thereby disqualified from discussing all such subjects—and undoubtedly they are not. But, on the other hand, as the noble Earl who has just sat down (the Earl of Carnarvon) has said, it is desirable, also, to have here those who, from their experience, from actual contact with public affairs, and from a variety of circumstances quite independent of land, would bring to the discussions of this House a certain amount of acquired knowledge and experience. And if at any time a conflict or a difference of opinion should arise between this House and the other House of Parliament it would be a positive benefit to have some portion of this House dissociated from the interests of land—it would be a positive advantage that no one should be able to point to a decision of this House and say—"That is a decision of the landowners." To whatever extent you can infuse into this House—subject, of course, to proper limits—some elements other than that of the possession of acquired or realized property, to that extent you offer to the public a guarantee that the general interests of the Empire will be considered and cared for, and that particular and special interests will fall into the shade. I do not desire to enlarge upon these ideas, but they must, I think, have been ideas which induced some portion, at least, of your Lordships to give to the Bill a second reading. I ask you, then, whether the proposal to admit one life Peer into the House in the course of a year is a proposal in any way adequate to the achievement of the end in view. My noble and learned Friend proposes, in addition to the one Peer who may be created in the course of the year, that others may be added if they have held Cabinet Offices. That is one restriction, and it is a good one; but the question is whether it would go far enough. It was pointed out by a noble Earl (Earl Grey) on the occasion when the Bill was read a second time, that while you are desirous of throwing open the door of access to the Legislature to one class of people, another and a very different class of people may walk in at the same time. There is no doubt that the great danger and difficulty to be grappled with upon this question lies in seeing how an adequate restriction can be placed, not merely upon the number, but upon the class of persons to be introduced into this House by the medium of this change. My Lords, I venture to think that if there is no restriction as to the class of persons who are to be admitted, within a week after this Bill becomes law a certain functionary of the House of Commons—I never had the honour of a seat in that House, and consequently I do not know his name, but a functionary who has the power of divining the secret aspirations of the most ardent patriots and the most fervent politicians—will have a list of those who think a seat in the House of Lords an object of desire and ambition; and according to the faithfulness of their services will be the fulness of their reward. I cannot conceive a greater evil than that; it would be an immeasurable evil. We should have knocked down and destroyed the structure of this House for the purpose of admitting persons who had served, not the nation, but the Minister; persons who had added to the power of the other House, not in debate, but in the Division List. The question, therefore, is, how can such a class—deserving in many respects, but not deserving thereby of a seat in this House—be excluded, if the change now under consideration be made? It is to meet this object that I have framed the Amendment which I have put upon the Paper. The object which I have in view is simply this—that the individuals to be admitted into the House under the proposed change should be persons who, from their varied public services in a public capacity, shall be worthy of a seat in this House. And it has occurred to me that few men who have achieved distinction in public life would be enchanted by a provision that they should have held some office for a limited number of years. It may be doubted whether any definition would succeed in expressing adequately the notion which we entertain and desire to see fulfilled in any appointments which may be made. But there can, I think, be little doubt that, the qualification once existing, men will find for themselves opportunities in some Department of the public service of achieving distinction, and will bring to this House names not unknown to the public—names in which the public will have confidence, and which will give additional lustre and dignity to this House. With regard to my noble and learned Friend's suggestion that the number of Peers to be admitted under the proposed creation should be regulated in proportion to the number of hereditary Peers created, I own that I am at a loss to conceive how that can bear upon the question; because the restriction as to number which the noble Earl placed in the Bill was intended to have relation, not to the number of hereditary Peers created in the same period, but to the whole body of Peers.

The Duke of CLEVELAND said, there was some discrepancy between the earlier and latter portions of the speech just delivered by the noble and learned Lord (Lord Penzance). Admitting the desirability of bringing, as he had said, the House of Lords into harmony with the other House of Parliament, the Amendment proposed by the noble and learned Lord would, of itself, from its very limited nature, hardly accomplish that object. The persons to be admitted under this proposal were not persons representing mercantile interests, or bringing any special knowledge upon those subjects to the House, but persons who had filled some official position—whose names, therefore, had been before the public for years, and who would accordingly be eligible on other grounds for admission. The noble Earl (the Earl of Carnarvon) had alluded to the French Chamber of Peers. It should be borne in mind that the French Chamber enjoyed high consideration and influence as long as it was hereditary; but from the moment its members were wholly or in great part nominated by the Crown it sank in public estimation, and no longer wielded any effective power. It must be remembered, however, that after all the change proposed by the Bill of the noble Earl, it was not a very large one, for it only proposed the creation of four life Peers every year for a certain number of years. But the noble and learned Lord who had just spoke (Lord Penzance) evidently anticipated that a much greater change was in view, because he spoke of keeping the two Houses of Parliament in unity—and that could hardly be done by the introduction of so small a number of Peers of this class. Their Lordships had been told by a leading Member of the present Government to be prepared for a state of things which must gradually and necessarily undermine either the influence of the Crown on one hand or of their Lordships' House on the other; because a preponderating power had been conferred upon the great towns, and mainly upon the masses wielding democratic influences. He did not think that the present was a very large measure; but it had been truly said by the noble Lord that those who advocated it were prepared to go much further; and they no doubt had a much more extensive object in view. If, however, it was contemplated that the course of legislative proceedings should be affected by a large infusion of the nominees of the

Crown, he, for one, would rather see the constitution of a second Chamber with a different and higher constituency, because such a Chamber would enjoy much more confidence and authority than the House of Lords could have under such conditions. Indeed, in such a case the hereditary principle had better be abandoned altogether, and some other principle substituted for it, for a second Chamber composed of hereditary Members swamped by nominees of the Crown would be the worst and most useless assembly ever invented. The House of Lords must depend upon its prestige with the country; but its influence would be totally changed if a large infusion of nominees of the Crown were effected. It would be no longer the same assembly, and would by no means enjoy the same influence. That House was mainly an assembly of landed proprietors; but he quite agreed that it was most desirable that every Member of it should consider that he did not merely and simply represent the land—that it was his duty to represent in that House not land only, but all the mighty interests which had grown up in this country of late years, and had acquired a magnitude unknown to former times. It would be, in fact, most unworthy of that House to look at questions simply and solely as they related to their influence upon land. Their Lordships were now embarking upon a great measure. The question would be much discussed in the other House of Parliament; but he trusted that the principle would not be argued of making the House of Lords a mere hospital for invalids of the State, but that means should be taken of introducing the mercantile element and that antagonistic power to a mere landed proprietary to which the noble Marquess the other day had alluded. It would greatly add to their Lordships' influence in the country if that other element were introduced into their debates. He certainly did not look to any great advantage from the introduction into the House of a few official personages who had lost their seats in the other House; and while he admitted that it was desirable to give life peerages to military men—he did not think that a great number of such peerages were to be expected or desired. The object of such a Bill as the present was to introduce the most useful and efficient Members who could be found into their Lordships' House, and not mere empty ornaments or mere official personages.

Earl GRANVILLE would suggest that, as any noble Lord would have an opportunity of stating his objections on the clauses, it would be desirable that the House should now go into Committee.

Motion *agreed to;* House in Committee accordingly.

On Question, That the Preamble be postponed,

Earl GREY said, that in 1855, on the Scotch Education Bill, on the Question that the Preamble be postponed, it was found convenient to decide the Question of the Preamble before the clauses; and the Preamble was rejected by a large majority.

The Marquess of SALISBURY asked whether it was the practice of the House that the Preamble should be postponed as a matter of course—because it might, in some cases, be desirable that such a Motion should be made by a Peer. He should like to know whether it would not be open to propose an Amendment to the Preamble on the Motion that the Preamble be postponed.

Lord REDESDALE said, it was usual to put the Question that the Preamble be postponed as a matter of course. In the present case any noble Lord who read the Amendments intended to be proposed on the Preamble would be satisfied that they might be moved *seriatim* on the Bill afterwards. Under these circumstances, he thought it better to adhere to the uniform practice of the House, and that the Preamble be postponed.

Preamble *postponed* accordingly.

Clause 1. (Peers for life to be entitled to sit and vote in the House of Lords under certain conditions).

Earl STANHOPE said, that in moving the Amendment of which he had given notice, he would detain their Lordships with very few observations. He desired, in the first place, to express his great surprise that it should have been stated by his noble Friend, the noble Earl who sat near him (the Earl of Carnarvon), that the proposal of his noble and learned Friend (Lord Cairns) was in its nature an extension rather than a restriction of the power of making life Peers. His noble Friend it would seem must have overlooked the fact that the peerages must be created in favour of Cabinet Ministers or officers who had performed some signal military or naval service. Now the Cabinet was scarcely ever attained in early life; and still more seldom had any young man the opportunity of achieving any great exploit in war. These Peers for life under such a condition would for the most part enter the House when past middle age, and their span of peerage would of course be proportionably so much the shorter. He must, therefore, take the liberty of denying that this proposal was intended to be an extension of the power of making life Peers beyond what was proposed by the noble Earl who introduced this Bill. The first condition of his Amendment was the holding of a Cabinet Office; and although the definition of a Cabinet Office was new in an Act of Parliament, it did seem high time that the distinction should be recognized. He would, however, alter the phraseology into "Minister of State holding a Cabinet Office." A person following the profession of the law might be highly qualified by genius and attainments to fill the office of Chancellor; but, having no hereditary fortune, might be unwilling to accept such an office. In that case it would be a great advantage that the burden of maintaining an hereditary peerage should not prevent an eminent lawyer rendering his services to the Crown in this House. If the Amendment of the noble and learned Lord opposite (Lord Penzance) were adopted, it might prevent this, the main and principal object of the Bill, from taking effect; for the Amendment would limit the power of creating Life Peers from the law to those who have already filled high offices in that profession. Now it often may happen, as it has happened, that it may be desired to raise a barrister of eminent merit to the Woolsack at once without his having first filled a Judgeship, or other legal office, and in that case the Chancellor so appointed could not be made a Life Peer. It seemed to him, therefore, that any Minister of State holding a Cabinet Office —that is, who was a responsible Adviser of the Crown—might fairly be said to be a fit person to be created a life Peer. The second condition he desired to make was the performance of some signal military or naval service; and his reason was this, that in the event of any very distinguished service—such, for instance, as that lately performed, so much to his honour and the country's service, by Lord Napier of Magdala—it ought to be promptly recognized; and he would further add the words "such acts to be specified in the patent." To avoid ambiguity he proposed to make certain verbal alterations in the Amendment as it stood on the Paper.

An Amendment *moved* at the end of Clause 1, to add—

("Provided always, that after one such peerage shall have been created in any one year no other such peerage shall be created in the same year, unless the person to whom the same is granted shall at the date of the patent be a Minister of State holding a Cabinet office, or shall have performed some signal military or naval service in the course of the twelve months preceding, such service being named in the patent. Provided also that no more than two such peerages be created in any one year.")—(*The Earl Stanhope.*)

EARL RUSSELL said, he should oppose the Amendment. He was as anxious as any one of their Lordships could be to preserve the hereditary character of the House of Lords, but he denied that the addition of twenty-eight life Peers, by annual creations not exceeding four in any year, would in any degree prejudicially affect that character. Under any circumstances the propertied and landed interests were certain to be preponderating influences in that House, but it was much to be desired that there should be admitted into their ranks the individuals distinguished in various pursuits of life, as in the arts and sciences—men like Watt, the inventor of the steam engine, Dr. Jenner, Adam Smith, and Sir Joshua Reynolds. Men like those would be ornaments to any Legislative Assembly; they would add greatly to the value of debates bearing on subjects with which they were well acquainted. It was right, he considered, that where a distinguished man, whatever his pursuit in life, felt that an hereditary peerage would be too expensive and burdensome an honour for him to accept, he should have the alternative of a life peerage within his reach. The Amendment of the noble Earl, however, would, to a certain extent, defeat the object of procuring the admission of such men into the House of Lords, as it would restrict in a great measure the creation of life peerages to the cases of Cabinet Ministers and individuals distinguished in the naval and military services of the country.

THE MARQUESS OF SALISBURY said, he regretted that anything he had said should have proved disagreeable to any of their Lordships—what he meant to say was that no good discussion could arise here unless some combative elements were present, and he hoped that he had done his little possible to supply that want. Then he gathered that his use of the word "representative" on a former occasion had been objected to. Now, he had never dreamt of making this House in any sense elective, and he denied that the word "representative" had any actual connection with election. All he meant was that this House, conformably with its origin and intention, should be strictly "representative" of every strong element in the community, and if, owing to change of circumstances, it had receded from that position, their first care should be to restore it. For that reason he approved of this Bill—though he was not sanguine enough to suppose that it would have any great or immediate effect on the character of the House. He should look with apprehension upon any great revolution, believing that all change to be wholesome must be gradual. But it was because there were symptoms that the House was not now in all points in its constitution in accord with the constitution of English society that he thought some such measure as this would be salutary. He must repeat, however, his objection to the kind of change which the noble Earl (Earl Stanhope) had just shadowed forth. He did not, for instance, believe that Sir Joshua Reynolds would have made a good Member of this House—in the first place, because Sir Joshua was as deaf as a post, and in the next place, because he knew nothing of the subjects which this House was called upon to discuss. The first qualification of a man called upon to do a political duty was that he should have a competent knowledge of political affairs. Now, he could not renounce the wish that there was a larger element in this House of that for which he could find no equivalent English word, but which foreigners termed the *industriel* element. By "industrial" he did not mean our friend the working man—he meant that those classes who were chiefly concerned in the production of our national wealth should have a larger infusion here than they had at present. But a just criticism had been made on this observation by a noble Lord, who said it would be far better that such men should be added by the Prerogative of the Crown to the Rolls of the hereditary Peerage. He believed that the history of this country would have been different if the Prerogative of the Crown had been more largely exercised in that direction. However that was a point outside the present discussion. In his opinion, such a change as was now proposed would, in some degree, render this House less sensitive to changes of another character; and a greater elasticity in the composition of the House would add to its strength and insure its permanence. As to the number of life Peers who were to be created, his objection to the measure of the noble Earl (Earl Russell) was not constitutional but arithmetical. The noble Earl proposed that four Peers should be added every year till the number reached twenty-eight. The result would be that Mr. Gladstone, during his term of Office, would be able to recommend four a year; while his successors would probably have the appointment of only one or two a year—because the life tables would show that, in order that there should be a complete change once in every seven years, men must be created who were over the age of seventy. Now, if men over the age of seventy were to be made life Peers, with all respect to their Lordships who had attained that age, he did not believe that it would add much to the strength of the House. [The Earl of Derby: Why do you say that?] That was a crushing question from the noble Earl, who was naturally indignant at the remark; but he commended it, at all events, to the consideration of the younger Members of the House. He approved the number twenty-eight; but then the number of yearly creations ought to be in some kind of correspondence with it. He suggested that the number should be two a year; and as to the Amendment of his noble Friend (Earl Stanhope) he suggested that service in a civil capacity as well as in the navy and army, should qualify for the second peerage. He had heard with the greatest pleasure the powerful speech of the noble and learned Lord (Lord Penzance), who had addressed the House for the first time; but the scheme he had proposed was of too bureaucratic a character. It would give a peculiar title to one particular class of men—no doubt very able and eminent, and in every way qualified for political duties—but men whose power in this country was always regarded with peculiar jealousy. There was another point worth consideration. This scheme, if adopted, must go to the House of Commons; but it really seemed designed for the special purpose of excluding Members of the House of Commons from life peerages. Members of that House had seldom served for five years with distinction in the Civil Service, and the result would be almost *eo nomine* to disqualify Members of the other House for life peerages. That certainly would not recommend the Bill there. He believed that the proposal to create life Peers received general assent in this House, and it commanded the assent of educated society out-of-doors. But there was one class whose assent had not been secured—namely, the persons who were to be made life Peers. Now it would be rather awkward if, after taking much trouble in the creation of life Peers, nobody could be found to take life peerages. The object they had in view would certainly run the danger of being defeated if four creations were to take place yearly. The Minister might find himself unable to resist the pressure that would be put upon him to make these creations, although he might not be able to select four persons really deserving of the honour; and the consequence would be that the first creations would be discredited, and eminent men would afterwards be unwilling to accept them. In these matters there was good ground for proceeding with caution and care; and if now, upon the first trial of the experiment, they were to limit the number of annual creations to two there would be no difficulty in subsequently increasing the number, if experience led them to think that it would be desirable to do so.

VISCOUNT HALIFAX said, he entirely agreed with the observations of the noble and learned Lord opposite (Lord Cairns), that it was not the intention of any noble Lord who had taken part in this debate to alter the general hereditary character of this House; but it was equally impossible to suppose for a moment that the House of Lords could by any process be turned, in any sense of the word, into a representative assembly. No doubt, consisting as that House did almost entirely of landowners, it was natural that they should take an almost identical view of all questions which came before them; and he sincerely believed that it would add to the strength of that House if they were to receive into their body those who would bring with them a more extensive knowledge of the views and feelings of the great mass of the people. There had been a time, no doubt, when the House of Lords represented the great interests of the country, when the holders of land were the predominant class; but the effect of the great changes in late years in the constitution, of the increase of the wealth and knowledge of other classes, and of the increase in the constituencies, had been to render the Lower House of Parliament far more than in former years the complete representative of the great body of the people. Under these circumstances it was essential—not that that House of Lords should become a representative body, but that they should contain a larger proportion of persons who are better acquainted with the opinions and views of the great mass of the people in the government of whom they were called upon to take a part. If they were to act in harmony with the House of Commons, and with the people at large they must take into their body those who had a knowledge of those views and opinions—men who from their various and different experience could give a practical characte to their debates, and perhaps throw new light upon the subjects under discussion. Under these circumstances he did not think that the principle of the Bill could be objected to. The noble Earl opposite (the Earl of Carnarvon) had laid certain figures before the House for the purpose of showing what would be the future position of the House in the event of the Bill being carried. He had himself made a calculation of the increase likely to be made in the numbers of their Lordships' House by the creation of life peerages, basing his calculations upon the results of the twenty years ending in 1685. During that period forty Peers had been added to their Lordships' House, and their Lordships would doubtless be surprised to hear that the result was that their total number was by that addition only increased by one—the number of English Peers in 1846 was 375, and in 1866 it was 376. That addition had been precisely at the rate of two per annum, the number contemplated by the Bill. During the period to which he referred no less than sixteen of the new Peers had died. Of the forty, eighteen possessed the qualifications which the noble and learned Lord opposite desired should be possessed by those upon whom life peerages were to be conferred, and of those nine had died within the twenty years. The result was that only one-half of the persons who might, under the provisions of the Bill, have been created life Peers, were now within their House; and, therefore, it might safely be assumed that under the provisions of the Bill there would be an addition of only twenty to the number of their Lordships' House in consequence of the creation of forty life Peers in twenty years. It was therefore obvious that the creation of any smaller number of life Peers than was contemplated by the Bill would fail to fulfil the purpose they had in view of importing into that House a knowledge of the views and opinions of the great mass of the people. It should be their object to call up from the Lower House men of weight and experience. He would refrain from referring to many persons whose names would at once occur to their Lordships as being eminently qualified for having life peerages conferred upon them. He might, however, allude to one who had formerly been a distinguished Member of the Lower House, whose exertions, though not in the earlier portion of his career appreciated by their Lordships, had resulted in great advantages to the community at large, as was now fully admitted by many who had been long opposed to him, and whose presence would have been a great acquisition in that House. He referred to Mr. Cobden, upon whom a life peerage might have been most advantageously conferred. He should vote for the measure as it stood, free from the restrictions with which it was sought to hamper it, because he regarded it as calculated to strengthen their Lordships' House, and to render it better fitted to discharge its functions as one branch of the Legislature of a country possessing a Constitutional Government.

The Earl of HARROWBY said, that anybody who had merely listened to the debate for the last hour or two, would conceive a very false idea of the nature of the Bill. The question was not, as was suggested, the giving of special representation to the commercial or industrial interests. He did not believe that, upon the terms proposed, representatives of those interests would be willing, in any large number, to accept seats in that House, for they would come in upon a different footing from those among whom they sat, and accordingly would feel the position more, or less, a position of degradation. He would be glad to see the House of Lords strengthened by valuable additions from those classes, but it should be upon a perfectly equal footing. Those alone who could be admitted with advantage as the holders of life peerages were those whose intellectual superiority placed them, in spite of moderate means, upon complete equality with others enjoying the highest social advantages. But it would be quite another thing if men from the industrial classes, having attained no celebrity in any branch of the public service, and with only their wealth and successful industry to recommend them, were chosen for admission as life Peers. Wealth and industry had merits of their own, but not such as should claim for them the distinction of such a peerage; and he did not think that the great commercial men of the country would accept the description of peerages now proposed. When members of the commercial interests were admitted to the House, they should be admitted on equal terms with those who now had seats there. He thought they ought to be very cautious how they introduced men who would feel that they held their position by a different tenure from that, upon which the majority held their honours. It would always be, to some extent, a delicate matter to induce men to accept life peerages at all, and if persons without the lustre of personal services did accept the inferior position, they would always be aiming to get the peerage for life extended, as a condition of service to the Minister of the day. The true light in which to look upon these creations was, that they should only be made when it was for the advantage of the House of Lords—when the House would gain by their admission—and without any reference to the advantage of the individual. As to the proposition of the Bill itself, he thought that two creations a year would fail to effect the contemplated purpose.

Lord LYVEDEN thought it impossible to carry out the Amendments. The wording of one of them, if adopted, might work great practical injustice. Take, for instance, the cases of Lord Napier of Magdala and the noble Lord the ex-Governor General of India, both men whom their Lordships and everybody else would admit to be well qualified for the highest honours, and both created Peers about the same time. Under the provisions now proposed, it would have been impossible to create Lord Lawrence a life Peer, for he had neither held Office in the Cabinet, nor performed any signal military or naval service. Their Lordships, he believed, were very generally disposed to concur in the principle of life peerages, but the real difficulty lay in the wording of the restrictions. If the privilege were rendered too narrow it would be valueless; and he was disposed to believe that the best course was to leave the exercise of the power of creation to be controlled by public opinion and the watchfulness of party. If it were enacted that a definite number of life peerages should be created each year, all the friends of a Minister would gather round him and say—"You have not yet completed your number; put my name down for a peerage." That, of course, was upon the assumption that life peerages became a popular institution. He was disposed, however, to believe that one of the main attractions of a title lay in the power of transmitting it to a man's children. Some worn-out politicians in the House of Commons, who had played for high stakes, and did not like altogether to be out of the game, might be contented with a life peerage, but the great majority of persons he believed would not. His noble and learned Friend (Lord Penzance), with a view of showing the difficulty of prescribing limitations, had asked what was to be the test of "eminent merits," and who was to be the judge of "signal public services." One illustration had been given already; let him give another. Suppose that a Gentleman, whose name was very prominently before the country —Mr. Bright—were offered a life peerage. The Government of the day and their supporters would, of course, declare him to be signally worthy of such a favour. Noble Lords on the other side would doubtless hold that his public services were not of a character entitling him to so distinguished a reward. Who was to decide? Again, the qualification of having held a Cabinet Office was not, he thought, sufficient, for he should be sorry to say that every one who had filled a Cabinet Office was an eminent man. A real and effectual limitation upon the peerages to be created under the Bill would be that of number. The number twenty-eight was probably rather fantastical; but some number ought to be fixed upon and steadfastly adhered to.

EARL GRANVILLE desired to say a few words in answer to the appeal made to him by the noble Marquess (the Marquess of Salisbury). He had so often spoken upon this subject in favour of the general principle that he did not feel that there was any necessity on the present occasion for him to do so again. He did not, however, take so large a view of the present measure as some noble Lords were disposed to do; he merely perceived in it a means of strengthening the House by introducing to its debates persons possessing special information and experience. Allusion had been made to the peerages and pensions conferred, under existing arrangements, for distinguished military and naval services. No doubt a grateful nation was ready from time to time to confer these rewards as acknowledgments of brilliant victories; but when the individual died the public too often were apt to forget his deeds and to grudge to his son the continued payment. The noble Marquess asked him whether, before the Bill passed, it would not be prudent to ascertain who were the distinguished individuals likely to accept life peerages. He really could not undertake to go as far as the Bar of their Lordships' House to make inquiry on that subject, but he was inclined to take a totally different view from that held by the noble Marquess, believing that if the Bill passed there would be no want of eminent candidates, and that many men would be willing to follow the example of that eminent Judge, Lord Wensleydale. The noble Marquess had also spoken of the advantage of introducing more of the "combative element" into the House. He (Earl Granville) admitted that that might be an advantage; and he might add that the combative element had been introduced into the House by the noble Marquess, but in a way which excited no bitter feeling on either side of the House. The combative element, however, was absent at the critical moment, for the courage of the noble Marquess failed him as to moving the Amendment which he had himself suggested. The view which he (Earl Granville) took of this Bill was that if it were amended and sent down to the other House in the shape proposed by his noble and learned Friend opposite—that was to say, as a proposal to add one life Peer a year to their Lordships' House, clogged with all these petty restrictions on the Prerogative of the Crown—the result, he feared, would be to cover their Lordships' House with great and not altogether undeserved ridicule. There seemed to be a strong feeling among their Lordships that four was too large a number, and he should be happy if his noble Friend (Earl Russell) adopted the suggestion of the noble Marquess to limit the number to two, without any other limit, specification, or category. If his noble Friend thought that the feeling of the House was that his number was too large, and would limit it to two a year, such a number would not affect the hereditary character of the Peerage.

Earl GREY thought that four in a year were too many, but if his noble Friend would confine the number to two he would vote with him. Whatever number might be fixed upon, they ought to have some provision to meet the case of a new Government when the preceding Government had filled up the number.

Earl RUSSELL said, that if the number were to be limited to two a year it would perhaps be unnecessary to restrict the total number to twenty-eight. If there were a disposition on the part of the House to consent to two a year he would waive his own opinion.

The Marquess of SALISBURY appealed to his noble Friend (Earl Stanhope) whether he would not accept the offer and withdraw his Amendment.

Lord CAIRNS said, the difficulty might be settled by giving power to nominate two Peers per annum and to limit the total number to twenty-eight. It would be necessary, however, to provide for the case of a new Government, and if that were not assented to he hoped his noble Friend would divide the House.

Lord CHELMSFORD wished to know what the noble Earl (Earl Russell) proposed to do in regard to the number of twenty-eight.

Earl RUSSELL said, he proposed to leave it out.

Earl GREY said, he must reserve to himself the power of proposing any Amendment hereafter to meet the case of a new Government.

Earl STANHOPE said, that in the proposal he made he was desirous to show no jealousy as to the introduction of life Peers, and a jealousy only as to the power of the Crown if the number of life Peers to be created in each year were very large, or left wholly undefined. The noble Earl (Earl Russell) as he understood, was willing if he relinquished his Amendment to adopt the number of two instead of four. Did he also understand that he would accept the limit of twenty-eight? If so, he believed that he should best consult the feeling of the House by not pressing his Amendment.

Earl RUSSELL said, that as it appeared to be the general feeling of the House that the limit of twenty-eight should be retained, he agreed to the suggestion.

Amendment, by leave of the Committee, *withdrawn.*

Then clause amended by leaving out ("four") and inserting ("two") and *agreed to.*

Other Amendments made.

Preamble *agreed to.*

The Report of the Amendments to be received on *Monday* next; and Bill to be *printed* as amended. (No. 113.)

House adjourned at half past Eight o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 3rd June, 1869.

MINUTES.] — Public Bills — *Ordered—First Reading*—Prisons (Scotland) Administration Act (1860) Amendment * [143]; Judicial Statistics (Scotland) * [142]; Titles to Land Consolidation (Scotland) Act (1868) Amendment * [144]; Court of Session Act (1868) Amendment * [145]; Sea Fisheries Act (1868) Supplemental * [146]; Public Parks (Ireland) * [147]; Inclosure of Lands (No. 2) * [148].

Committee—Bankruptcy (*re-comm.*) [97]—r.p.; Diplomatic Salaries, &c. * [118]—r.p.

Committee—Report—Oxford University Statutes * [136].

Considered as amended—Election Commissioners (Expenses) * [139].

Third Reading — Oxford University Statutes * [136].

Withdrawn — Sheriffs (York County) * [102]; Burials Regulation * [33].

THE VICEROY OF EGYPT.—QUESTION.

MR. BUXTON said, he wished to ask the Under Secretary of State for Foreign affairs, Whether the Government will entertain the idea of presenting the Viceroy of Egypt with a Steel Steamer for the Albert Nyanza, as an expression of the interest taken by Her Majesty's Government in the attempt now made by the Viceroy to suppress the Slave Trade?

MR. OTWAY, in reply, said, he presumed that the Question of his hon. Friend referred to the expedition which the Viceroy of Egypt had entrusted to the command of Sir Samuel Baker. The object of that expedition, which was stated to be the suppression of the slave trade, was one in which Her Majesty's Government could not fail to sympathize, and to which they wished every success, but the Government were in no respect responsible for it. They had been informed that the Viceroy had ordered a small steel steamer to be constructed in this country, for the purposes of the expedition; but he did not think that under the circumstances it would be a fitting proceeding on the part of the Government to purchase that steamer for presentation to the Viceroy.

IRELAND—UNION OF FERCAL.

QUESTION.

MR. GATHORNE HARDY said, he wished to ask the Chief Secretary for Ireland, Whether an application, under the hands and seals of the Archbishop of Armagh and the Bishop of Meath, was made to the Lord Lieutenant in Council on the 16th day of January 1869, to divide the union of Fercal, in the diocese of Meath and province of Armagh, into four parishes or benefices, such division having been recommended by the Commissioners of Inquiry into Ecclesiastical Unions in Ireland in their Report, dated 18th April 1831; whether the Rev. Algernon Coote, the patron of the said Union, having himself moved to carry into effect such division so soon as the living fell vacant —namely, November 24th 1868—did not consent thereto; whether the Lord Lieutenant in Council has assented to the division, and if not, on what grounds his refusal has been based; and, whether there has ever before been a refusal in a similar case?

MR. CHICHESTER FORTESCUE said, in reply, that the statements in the first two paragraphs of the Question of the right hon. Gentleman were perfectly correct. With respect to the third paragraph he had to state that the Lord Lieutenant had neither assented to nor dissented from the proposed division. The Irish Government had the matter under consideration, and when the draft Order came before the Council in the ordinary way no objection would be made to it on the part of the Lord Lieutenant.

LIGHTHOUSE ACCOUNTS—QUESTION.

VISCOUNT BURY said, he wished to ask the President of the Board of Trade, Why detailed accounts of the receipts and expenditure of the Trinity House, the Commissioners of Northern Lights, and the Irish Ballast Board have not of late years been laid before Parliament; and, whether he will lay before Parliament a full and detailed account of all monies received and expended during the last ten years by the Trinity House, the Commissioners of Northern Lights, the Irish Ballast Board, and by the local authorities to whom the management of coast or harbour lights in the United Kingdom is entrusted?

MR. BRIGHT, in reply, said, he had procured a memorandum on this matter, and it seemed that detailed accounts of the receipts and expenditure of the three Lighthouse Boards were given to that House in 1860, and in a most minute form and at a very considerable amount of labour and cost. Since that time no periodical account of the receipts from those Boards, or of the tolls from each particular lighthouse had been given, the accounts having come under the control of the Board of Trade. Before that time each Board had its separate fund, arising from lights under its own control, and as the dues for lights were leviable throughout the United Kingdom, each Board collected the dues for lights from ships within its own jurisdiction, and afterwards made over to the other Boards the proportion which was due in respect of lights coming under their management. Thus the Trinity House collected at Liverpool all dues payable by ships coming to that port, and made over to the Scotch Board the amount of the rates collected which was due from the ships for passing the

Scotch lights, and to the Irish Board in like manner the proportion which was payable for the Irish lights. In order to do this it was necessary to keep separate accounts of the dues collected in respect for each lighthouse, and thus it was easy to give separate Returns. When the accounts were amalgamated, all this was changed, for it was no longer necessary to keep those separate accounts; each Board made over the dues to the common Mercantile Marine Fund, and as keeping separate accounts was exceedingly inconvenient and troublesome, it was discontinued by order of the Board of Trade. To re-establish them now would involve great expense and trouble to the Mercantile Marine Fund. As regarded lights established by local authorities, the Board of Trade had no control over them and such Returns as the noble Lord wished with respect to harbour lights could not be given.

IRELAND—AFFRAY AT BALLYHEIGUE.
QUESTION.

MR. HERBERT said, he wished to ask the Chief Secretary for Ireland, If it is the intention of the Government to institute a Commission to inquire into the circumstance connected with the recent collision between the people and the police at Ballyheigue, county of Kerry?

MR. CHICHESTER FORTESCUE said, in reply, that the recent collision between the people and the police at Ballyheigue had been brought under the attention of the Government by the Lord Lieutenant of the county. A magisterial inquiry was proceeding, and until that was completed it would be premature to say whether the Government proposed to issue a Commission of Inquiry.

CLERKS TO LOCAL COMMISSIONERS OF TAXES.—QUESTION.

MR. HUNT said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he has considered the altered position of Clerks to the Local Commissioners of Taxes under the provisions of the Customs and Inland Revenue Bill; and, whether he is prepared to give them any compensation for their loss of emoluments?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I have considered the case referred to. The clerks to the local commissioners of taxes are generally solicitors, with other means of subsistence besides what they obtain by collecting taxes; they have not been paid by salary, but by the work done, and are appointed annually. Under these circumstances, I do not think them proper objects for compensation.

INDIA—CIVIL SERVICE.—QUESTION.

MR. EASTWICK said, he wished to ask the Under Secretary of State for India, Whether there is any foundation for the Report in "The Overland Mail" newspaper of May the 28th, that objection has been taken to the admission of three of the four successful Native Candidates for the Indian Civil Service on a question as to their respective ages; and, whether, seeing that some Natives of India have great difficulty in ascertaining their exact ages according to our Calendar, it is the intention of the Civil Service Commissioners to adhere rigidly to the rule as to age in these cases?

MR. GRANT DUFF: With reference, Sir, to my hon. Friend's first Question, I deeply regret having to say that it is true that two of the native candidates who succeeded in the recent competition for the Indian Civil Service have been held to be disqualified on the ground of age. With reference to his second Question, I have to say that the Civil Service Commissioners are absolutely bound by regulations having the force of law. They investigated this matter with the greatest anxiety, and came to the conclusion that they had no choice but to do as they have done when they were appealed to by other candidates who claimed to be, of right, among the selected fifty.

SHERIFFS (YORK COUNTY) BILL.
QUESTION.

MR. H. F. BEAUMONT said, he wished to ask the Under Secretary of State for the Home Department, Whether he intends to proceed with the Sheriffs' (York County) Bill?

MR. KNATCHBULL-HUGESSEN said, in reply, that the necessity of a Bill for the regulation of this subject had been urged on the late Government, and on the accession of the present Government a Bill was found partially prepared. Since its production great difference of opinion had been expressed among Yorkshire Members, and during the Whitsuntide Recess there was a meeting held at which the majority were opposed to the Bill, and amongst its opponents were some who had urged it upon the Government. It was a question which Yorkshiremen ought to determine for themselves; and, under these circumstances, he thought that it was better not to proceed with the measure, and he begged to move the discharge of the Order.

Order *discharged.*

Bill *withdrawn.*

ARMY—MILITARY LABOUR.

QUESTION.

Mr. HANBURY TRACY said, he would beg to ask the Secretary of State for War, Whether the necessary work required in the external painting and whitewashing of the Royal Artillery and East Infantry Barracks at Aldershot, for the performance of which tenders have been invited by public advertisement, could not be undertaken by Military labour, under the direction of the Commanding Royal Engineer of the district; and, what would be the saving effected including advertising, if soldiers were employed to do the work, paying them by the piece according to the existing regulations?

Captain VIVIAN said, in reply, that it had been found impossible to employ military labour for work such as that referred to. Such work, to be done efficiently, must be done continuously, and as Aldershot was designed for instructing the men in field movements it was impossible to give them continuous work of any sort. When this work was done by the soldiers in 1865 it took five months, instead of three, and the cost was £400 beyond the ordinary estimate.

METROPOLIS—THE NEW COURTS OF JUSTICE.—QUESTION.

Mr. BENTINCK said, he wished to ask the First Commissioner of Works, Whether the Sketch of the new design for the "Courts of Justice Building," now in the Library, and bearing the name of Mr. Street, has been approved by her Majesty's Government for erection on the Thames Embankment; whether he adheres to his recommendation, made in this House on the 10th of May last, that the style of the new building should be the "Gothic employed by the Italians in the early part of the 15th century;" and whether he was of opinion that the new design fulfils that condition; whether the three towers connected with the new design are intended for the preservation of documents, or to serve any useful purpose besides that of ventilation, and what is their probable cost; and, whether he will exhibit in the Library the elevation of the "River front" and "Park front" of the Westminster Palace, designed by Inigo Jones, and engraved in the works of Inigo Jones, published by Lord Burlington and Kent?

Mr. LAYARD said, in reply, that when his hon. Friend asked him if he approved of the sketch of the new design referred to for the Courts of Justice building, he would say that it was never his fortune to see a more beautiful and artistic piece of work; but he would remind his hon. Friend that the elevation was a mere sketch, and is so called by Mr. Street. If the House should approve of the erection of the Law Courts on the Embankment he should think it his duty to have a model placed in the Library, or some other part of the House to which Members might have access, and so be able to form an opinion. As to the second part of the Question of his hon. Friend, he begged to say that he did not recommend that the style of the new building should be the "Gothic employed by the Italians in the early part of the 15th century." What he did say was, that he thought Gothic was the most appropriate style for the English Law Courts, but he did not advocate ecclesiastical Gothic, but said that the Italians had made use of Gothic for a similar purpose in the 15th century, and that such a building might be erected without having recourse to ecclesiastical Gothic. As regarded the three towers, as the design is a mere sketch, he could not answer the Question of his hon. Friend. With respect to the fourth part of the Question, the elevation of the River front and Park front of Inigo Jones had been exhibited for some days in the Library, where it might be seen by his hon. Friend.

BANKRUPTCY (*re-committed*) BILL.

(*Mr. Attorney General, Mr. Solicitor General.*)

[BILL 97.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 3 *agreed to.*

Clause 4 (Interpretation of certain terms in the Act).

MR. ANDERSON said, he wished to propose an Amendment, not with the view of introducing into the Bill anything of a punitive character, but because he wished that it should be declared that certain practices which had grown to be extremely common in the commercial world, and which were generally regarded as immoral, should be declared to be such, in order to put a stop to them; and there was no way so effectual for doing so as to have a declaration of their immorality inserted in an Act of Parliament. He begged to move after line 30 to insert—

> "'Fraudulent bankrupt' shall mean any one who shall be proved to the satisfaction of the Court to have done any of the following things to the serious prejudice of his creditors, or any of them: concealed or withheld books, documents, or assets; failed to account for money proved to have been received by him; lost money by gambling or excessive private expenditure; bought goods when in desperate circumstances, and without reasonable prospect of being able to pay for them; resold, below cost, unpaid-for goods; if a trader kept no books or false ones, or intentionally imperfect ones; failed to show a full balance of these books within two years previous; or failed to call a meeting of his creditors when last previous balance showed his estate worth less than ten shillings in the pound."

THE ATTORNEY GENERAL said, he hoped his hon. Friend would not press this Amendment. He agreed that it was desirable that the offences mentioned in this Amendment should be punished; but he also agreed with the Report of the Bankruptcy Committee, who considered this matter very carefully, that offences against the Bankruptcy Law, or what might be called the law of honesty, should be punished criminally, and not by the Bankruptcy Court. If they made the Court of Bankruptcy a criminal court, they would entirely defeat the object of the Bill. With that view he had prepared another Bill, which dealt with fraudulent bankrupts, and with the offences mentioned in this Amendment—the concealing or withholding of books, documents, or assets. And by that other Bill, the Court of Bankruptcy might commit a bankrupt for having failed to account for money received by him. As to excessive private expenditure, he thought that was a matter very difficult to deal with. At all events, that matter ought to be dealt with by the Criminal Bill, if at all. The Criminal Bill provided for cases of buying goods without reasonable prospect of being able to pay for them. As a matter of definition of the words "fraudulent bankrupt," the Amendment was unnecessary.

MR. DENMAN said, that the Amendment was entirely beside the purpose of the Bill. There was no such expression as "fraudulent bankrupt" in the Bill, and this clause related solely to expressions used in the Bill.

MR. NORWOOD said, he hoped the Amendment would not be pressed.

MR. ANDERSON said, it did not follow that if this Bill passed the Criminal Bill would pass also, and he thought a Bankruptcy Bill should speak out on certain malpractices; but in deference to the views that others had expressed he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

MR. WHITWELL moved, in page 1, after line 30, to insert—"creditor shall include a partnership."

MR. JESSEL objected to the Amendment as unnecessary.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 5 (Exclusion of companies and large partnerships).

MR. WHITWELL moved to leave out at page 2, line 1—

> "'Whether corporate or unincorporate, consisting of more than seven members,' in order to insert after 'company' the words 'corporate, or registered under the Joint Stock Companies' Act.'"

THE ATTORNEY GENERAL said, the reason why this clause stood in its present shape was this—the winding-up provisions of the Joint-Stock Companies' Act, 1862, specially related to all partnerships above seven. It was considered desirable by the framers of this Bill that partnerships should not be subject to two processes of winding-up; that was to say, to winding-up in the Court of Chancery and to the process of the Bankruptcy Court. It had been represented to him by gentlemen connected with

Chambers of Commerce that it would be desirable that ordinary partnerships above seven should be subject to the Bankruptcy Law. That he understood to be a general request, and he, therefore, proposed to adopt the Amendment proposed by his hon. Friend. It would be necessary in the Criminal Bill, in order to prevent a conflict of jurisdiction, to enact that the Joint-Stock Companies' Act should not apply to companies above seven.

Amendment *agreed to.*

Clause, as amended, *ordered* to stand part of the Bill.

Clause 6 (Petition for adjudication in bankruptcy).

MR. NORWOOD said, the Bill as it stood fixed the amount of the debt of the creditor who could petition for an adjudication at £50; and it also enabled any number of creditors whose aggregate debts amounted to £50 to petition. He objected to both of those provisions. £50 was too large an amount to fix upon in the case of a single creditor, considering that the Bill applied to small bankruptcies as well as to large. On the other hand, he thought it ought not to be in the power of any number of small creditors, say to the amount of £5 or £2 10*s.* each, to join in a petition simply because their aggregate debt amounted to £50. He had, therefore, to propose an Amendment, copied from the clause of Lord Cairns' Bill of last year, which met with approval. His Amendment was, page 2, leave out from the commencement of the clause to the word "may," in line 10, and insert—

"A single creditor, if the debt due to such creditor amounts to a sum of not less than twenty pounds, or two creditors if the aggregate amount of debts due to such creditors be not less than thirty pounds, or three creditors if the aggregate amount of debts due to such creditors be not less than forty pounds."

THE ATTORNEY GENERAL observed that now there must be one debt of £50, or two creditors whose debts amounted to £70; so that the present clause was in reduction of the requirements; and he did not think that it was desirable that any persons whose debts were lower than £50 should be made bankrupt. Some Chambers of Commerce had expressed an opinion that it would be desirable, but others—and notably that of Bradford—took the very opposite view. His proposition was that where a man owed £50 he might be made bankrupt, but that any man who owed less than that sum should be left to the County Court, where his liability would be simply this—that he might be imprisoned if he could pay a debt and would not. This was a most important part of the Bill, and he must adhere to the £50 limit.

MR. SERJEANT SIMON said, it was perfectly idle to talk of putting in force the machinery of the Bankruptcy Act against a man on account of £20, when payment could be enforced from him by summons in the County Court.

MR. RYLANDS observed that though he might be disposed to think £50 was too high, he was not prepared to make the amount so low as £20.

MR. MORLEY said, he hoped they would by means of this measure inaugurate a system less expensive, and bring in a much larger number of small estates. The proposal with respect to £20 might bear some alteration, but by making the amount £50, they might shut out a very large number of creditors.

Amendment, by leave, *withdrawn.*

Other verbal Amendments proposed, and *negatived.*

MR. G. GREGORY *moved* to leave out sub-sections 3 and 5, and after subsection 4, insert the following subsections, numbered 5 (*a*) and 5 (*b*) respectively:—

"5 (*a*). That the debtor has, with intent to defeat or delay his creditors, done any of the following things, namely—departed out of England, or being out of England remained out of England, or departed from his dwelling-house, or otherwise absented himself; or begun to keep his house; or suffered himself to be outlawed."

"5 (*b*). That the debtor has filed in the Court, in the prescribed form, a declaration in writing, signed by him, and attested by a registrar of the Court, or by an attorney or solicitor, that he is unable to meet his engagements."

MR. SERJEANT SIMON said, he thought the clause would afford an additional temptation to the dishonest debtor.

MR. WALPOLE suggested that when they put such a stringent provision on the bankrupt as that he should pay 10*s.* in the pound in order to obtain a full acquittance from the court and his certificate, he doubted very much whether the proposition of the hon. Gentleman would have the effect of encouraging a fraudulent bankrupt. It appeared to him that the provision would be a good one. If there was one thing more than another which they ought to encourage it was this—that when a man found himself in a hopeless state of embarrassment, instead of tempting him to plunge deeper and deeper into his difficulties, they should give him every opportunity of delivering up as much of his property as he then had, to be distributed amongst his creditors. Believing that the proposition of the hon. Member would have that effect he should support it.

THE ATTORNEY GENERAL said, he was not disposed to consent to the Amendment, because he thought it might lead to collusion.

MR. ALDERMAN LUSK said, he thought the proposition would serve indirectly to enable a man to make himself a bankrupt—a principle to which the measure was directly opposed.

SIR ROUNDELL PALMER said, he did not think the Amendment open to the objection stated; it did not enable a man to make himself bankrupt, but it would enable his creditors to make him bankrupt, if they thought fit, upon his own admission of insolvency, which seemed to be no more than reasonable. Nevertheless, if the Attorney General thought it better to compel a man to keep his house and property in order to qualify him for the Bankruptcy Court, he (Sir Roundell Palmer) would offer no objection to the principle contended for by the right hon. Gentleman.

Amendment, by leave, *withdrawn.*

Then an Amendment, moved and agreed to, by which the term of *two months* as the period within which the act of bankruptcy must be connected was altered to *six months.*

MR. G. GREGORY moved, in page 3, line 1, after "and," leave out "must not be a secured debt," and insert, "if a secured debt must be for the unsecured balance only," leaving the party a right to petition on account of his unsecured balance.

MR. DENMAN considered the Amendment unnecessary. If it were not a secured debt it was an unsecured balance.

MR. JESSEL said, the Committee ought not to give a man with security an advantage over the other creditors without he gave up his security.

MR. LOCKE said, a creditor might be secured up to a certain amount, and if the Amendment was carried it would put him into a better position than the other creditors simply because he had a secured debt.

MR. MORLEY said, a debtor might owe £1,000, of which £300 was secured. He ought to have some remedy with regard to the £700, the balance.

MR. CANDLISH said, the balance could not be ascertained unless he elected to have the security valued.

MR. PEEK said, it would be unjust to place a partially-secured debtor in a worse position for his balance than an ordinary creditor.

SIR ROUNDELL PALMER said, it was a very important matter, and one of which mercantile men were probably the best judges. The secured creditor had an advantage over the ordinary creditors to the amount of his security, and the question was whether a creditor having that advantage was the proper person to judge whether it was for the benefit of the unsecured creditors to put the debtor's estate in bankruptcy. Such a man had but little to complain of if the Legislature should think fit to say to him—"Realize your security before you put the debtor into bankruptcy." It was a matter worthy of consideration. There might be an alternative course—that of calling upon him to put a value on his security, by which he should be bound; so that, if it realized more than the value put upon it, he should account for the difference in the administration of the estate.

MR. STEPHEN CAVE said, a man holding security ought not to be put in a worse position for the balance than an ordinary creditor. To put him in such a position would be punishing him for his prudence. He was in reality two distinct persons *quoad*, the unsecured portion of his debt he was an ordinary creditor, and *pro tanto* entitled to the remedies of an ordinary creditor.

MR. RATHBONE said, that practically if a large secured creditor was called on to realize his security it might greatly prejudice the bankrupt's estate. Take the case of a foreign banker, with bills of exchange to a large amount secured by property. The sudden realization of the property might greatly impoverish the estate.

THE ATTORNEY GENERAL said, they were now dealing with the question whether a secured creditor should be the person to put the estate in bankruptcy.

Having heard the suggestions offered, he would ask the Committee for time to reconsider the matter.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 7 (Proceedings on petition).

MR. SERJEANT SIMON *moved* in line 10, after "debtor," to insert, "except where it shall appear to the satisfaction of the Court that the debtor being and remaining abroad every reasonable attempt has been made to effect such service, and that such an attempt came to the knowledge of the debtor, and that he purposely defeated the same."

THE ATTORNEY GENERAL said, he did not think the Amendment necessary, as its object would be better met by the insertion of the words in the 79th clause, "shall be served upon the debtor in the prescribed manner." He should not object to insert these words, being of opinion that the mode of service should be left to the Lord Chancellor and the Judges of the Bankruptcy Court.

MR. G. GREGORY approved the deciding of all these matters in the Bill rather than leave them to be dealt with by the Judges in the shape of general orders.

MR. JESSEL objected to the proposition that matters of procedure should be regulated by the Bill instead of being left to the Judges, in accordance with the ordinary practice. Matters of substance only should be the subject of positive enactment. The question of service had always been regulated by the Court, and ought to continue to be so regulated.

THE ATTORNEY GENERAL admitted that the hon. Member opposite (Mr. G. Gregory) had raised an important question—namely, whether the House was to prescribe every detail of practical procedure under a Bill of this kind, or whether such details should be left to general orders by the Court. If such details were to be included in the Bill, it would probably have been necessary that it should consist, not of 105, but of 500 clauses. He had proposed what he thought reasonable, in the belief that the Lord Chancellor and the Judge of the Court of Bankruptcy would be better judges as to the rules of procedure than that House could be. All rules made would be laid before Parliament, so that hon. Members would have an opportunity of knowing them. He, therefore, could not agree to the Amendment, though he was willing to accept the words that the service should be on the debtor in the manner prescribed by the 79th clause.

MR. NORWOOD ventured to think that the Amendment of his hon. Friend (Mr. Serjeant Simon) was altogether outside mere procedure; it was very important, and he would therefore support it.

MR. STAVELEY HILL said, that this was one of the matters which might be left to rules and orders. It was almost analogous to the service of the petition in cases in the Divorce Court.

MR. MORLEY suggested that the wording should be "served on the debtor personally, or in the manner prescribed."

THE ATTORNEY GENERAL said, he would not object to those words if the Committee wished them inserted.

MR. JESSEL said, he hoped the hon. and learned Gentleman would reconsider the question.

MR. STEPHEN CAVE said, if they must have an Amendment, he should prefer that of the hon. and learned Member for Dover to that of the hon. Member behind him. The question had been argued some years before in that House, and it was stated truly that a gentleman going abroad for a tour might find himself in his absence made bankrupt for his tailor's bill. The House should remember the difference between a trader and non-trader, and make the rules elastic enough for both.

SIR ROUNDELL PALMER said, that both forms of Amendment illustrated the difficulty in which the Committee would be involved if it tried to do these things for themselves. It was much better to leave the Court to consider what mode of service should be adopted.

MR. HINDE PALMER also opposed the Amendment.

MR. STAVELEY HILL suggested that, instead of the Amendment proposed by the learned Serjeant (Mr. Serjeant Simon), the words "in the prescribed manner" should be inserted.

THE ATTORNEY GENERAL expressed his approval of that proposal.

Amendment (*Mr. Serjeant Simon*), by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 8 (Proceedings if debt of petitioning creditor is contested).

Mr. PEEK said, the chief merit of the Bill in his view was that it would give them a Chief Judge in Bankruptcy, and he wished to keep the Chief Judge as much as possible to his own proper work. If they incumbered the court, as that clause as it stood might have the effect of doing, with all questions of contested liability, it was to be feared that the Bankruptcy business, pure and simple, would be hindered. He, therefore, moved the omission at the end of the clause of the words "either" and "the court itself," and also of the word "other."

The ATTORNEY GENERAL said, he could not assent to this Amendment, which would strike out important words of the clause. It was a great part of the scheme of the Bill to appoint a superior Judge in Bankruptcy, and to have a jury to try questions in the Bankruptcy Court, which would be a valuable improvement on the present system.

Mr. NORWOOD asked whether he was to understand that if a debt over £50 was disputed the question must be tried before the Chief Judge in London, and could not be decided in the County Court?

The ATTORNEY GENERAL said, that as the Bill stood the County Court Judge would have power to try a disputed debt to any amount. It had struck him that it might be a rather formidable thing to allow a County Court Judge to try a question of debt without some limitation as to amount; but he was anxious as far as possible to defer to the opinion of the representatives of the commercial classes on such a point.

Mr. JESSEL said, he thought it would be most impolitic to extend the jurisdiction of the County Courts by a side wind, and this would be the result if the Amendment of the hon. Member for Mid-Surrey (Mr. Peek) were carried. He entirely concurred in the suggestion made by the Attorney General.

Mr. PEEK said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

The ATTORNEY GENERAL moved an Amendment reserving to the County Courts the jurisdiction they at present possess to try cases of debts up to £50, but not enlarging that jurisdiction.

Amendment *agreed to.*

Clause, as amended, *ordered* to stand part of the Bill.

Clauses 9 to 12 *agreed to.*

Clause 13 (Meeting of creditors for appointment of persons to administer bankrupt's property).

Mr. MORLEY moved, in page 4, line 33, after "summons," insert "by advertisement and circular at not less than three, and not more than nine days from the state of adjudication," and suggested that the transaction should take place in an apartment sufficiently large to secure the admission of the public.

The ATTORNEY GENERAL said, that this was a matter of detail which would be settled by the rules and regulations to be drawn up by the Judges. He hoped his hon. Friend would not press his Amendment.

Mr. Alderman LUSK believed that such matters as these would be better decided by the experience of the Judges than they could possibly be by the House.

Mr. MORLEY said, he had not the confidence in the rules and orders that others appeared to have; but would consent to withdraw his Amendment, in accordance with the wish of the Attorney General.

Mr. M. CHAMBERS said, he could not support the Amendment, as the hon. Gentleman by whom it was proposed intended to withdraw it. He protested against delegating to the Judges the passing of regulations in matters relating to commerce, and with which commercial men were more familiar. He thought this looked like an attempt to delegate to others a duty which might be better discharged by themselves. It was worthy of consideration whether it would not be well to lengthen the Bill a little by embodying mere general rules, instead of leaving them to be made by the Judges.

Mr. Serjeant DOWSE said, he thought the Bill left nothing to Judges but matters which they were the proper persons to decide, and which it was not worth the while of the House of Commons to legislate upon.

The ATTORNEY GENERAL observed that it was nothing new to intrust Judges with the making of rules and regulations; he referred to the Common Law Procedure Act, the Divorce Court, the Chancery Courts, and the present Bankruptcy Courts; and he remarked that the experiment of trusting to the discretion of the Judges, within certain limits, had worked satisfactorily.

MR. CANDLISH, however, alleged that the operation of the County Courts Admiralty Jurisdiction Act of last Session had been marred by the injudicious rules which had been framed under it. No Judge was more able than the hon. Member for Bristol (Mr. Morley) to express an opinion on such a matter as this; and, if the House had made up its mind that it was desirable to lay down a rule with reference to a particular mode of procedure, there was no reason why it should not do so.

Amendment, by leave, *withdrawn.*

Further Amendments made.

Clause *agreed to.*

Clause 14 (Descriptions of bankrupt's property divisible amongst creditors).

MR. PEEK moved, in page 5, line 14, the insertion of the words "and capable of being traced, earmarked, or defined" after the word "person." There might be disputes in some cases as to whether the property was really in trust or was a fair subject of the debt.

MR. JESSEL said, he thought the clause might have been omitted altogether. It was now proposed to extend the law from traders to non-traders, and the only ground on which what appeared to him a most iniquitous law had been defended was that of securing the creditors. In revising the Law of Bankruptcy, the House ought to endeavour to bring it into harmony with the law of other countries, and the rules of common sense and common honesty. With regard to visible goods, it was said, in years gone by, that credit might be given to a person on the strength of his stock-in-trade, and that it might belong to another person. But a conclusive answer to that was given by Lord Justice Knight Bruce, who said, when a case of that kind came before him—"If you gave credit on the strength of the stock-in-trade being his own, why did you not ask him whether it was his own or not?" Under the Bills of Sale Act, it was provided that if a man mortgaged or sold his goods, the sale should be registered in a public registry, and the creditor had nothing to do but consult that registry to satisfy himself on the point. It was not all goods in a man's possession that were subject to the law, for there were exceptions so large as almost to deprive the creditors of the benefit of the rule. In the case of trust property, the trust was not affected by the Bankruptcy Law, for if furniture was settled on a man's wife, the creditors could not get the benefit of the law. The law was injurious to every one; and, if he could not persuade the Attorney General to strike out the clause, he trusted he would consent so to modify it that it should not extend to things in action.

MR. MORLEY thought that, if the clause was intended to cover goods not belonging to the bankrupt, it should be expunged.

MR. ALDERMAN W. LAWRENCE supported the clause, believing that if it should be struck out the result would be an extension of commercial frauds. It would permit retail traders to have their shops stocked with goods the property of other parties, and if a man became bankrupt it would be said that the whole of the goods belonged to other parties.

THE ATTORNEY GENERAL acceded to the Amendment which had been suggested, and agreed to insert after the word "bankrupt" the words "being a trader." He also consented to insert a proviso to the effect that "things in action shall not be deemed goods and chattels within the meaning of this clause." The policy of the Bankruptcy Law was this—that if a man intrusted a trader with goods and chattels upon the strength of which he obtained credit, it was but fair that when he became bankrupt those goods and chattels should belong to his creditors. That had been the law for nearly 200 years. He had heard very few complaints against that law. The effect of the remarks of the hon. and learned Member for Dover (Mr. Jessel) was this, that the law was not altogether effectual because it was sometimes evaded. That was not a reason for abolishing the law. He could not go the length proposed by the hon. and learned Gentleman.

SIR ROUNDELL PALMER said, he thought they could not go further in the way of altering the law than was proposed by the Attorney General, without totally destroying credit in this country.

It should be remembered that a year or two ago, an alteration was made in the Law of Partnership. Mere participation in profits used to constitute a man a partner; but now, that alone was not enough to constitute a man a partner. The consequence was that a man might carry on trade for his own benefit without being answerable for the debts incurred in that trade. The effect of that would be that the whole stock might go to the person for whose benefit the trade was carried on, who also received the whole of the profits. He thought it much safer to limit themselves to the change proposed by the clause, and even that change seemed to require some modification. He would suggest that the Amendment, which the Attorney General stated that he would introduce, should be qualified by adding after the words, "things in action," the words "other than debts due in the course of his trade or business."

The words "being a trader," *inserted.*

The ATTORNEY GENERAL proposed to add the words—

"Provided that things in action, other than debts due to the person in the course of trade or business, shall not be deemed goods and chattels within the meaning of the clause."

MR. MUNTZ said, the change recommended by the hon. and learned Member for Dover had been in practice in France for forty years. Credit was not interfered with in France or in the United States, where the law of limited liability was in operation, and he did not see why we should not have a law far more convenient and just than the present one.

MR. JESSEL said, with unfeigned respect to the hon. and learned Member for Richmond (Sir Roundell Palmer) that he appeared to have entirely forgotten the lessons of his experience. He begged to differ entirely from his hon. and learned Friend's opinion that the adoption of his (Mr. Jessel's) suggestion would destroy credit in this country. Every civilized country on the face of the globe, except the United Kingdom, acted on the principle which he had supported. He should be ashamed of his country if, for the purpose of carrying on trade, it was necessary to have a law that was not honest. Commercial men of experience did not give credit to a man merely because they saw goods in his shop windows. In giving credit they relied on a man's character and ability.

SIR ROUNDELL PALMER said, if the true owner held out to the world that these goods were the property of the trader, he did not think honesty would be on the side of the true owner if he said they should not be liable to pay the debts.

MR. JESSEL said there was a statute of Elizabeth which applied to that case. A man who was a party to a fraud ought, of course, to suffer; but the Judges, in interpreting the statute, had gone further than the statute intended. They held that an honest man who had no intention of enabling a trader to acquire credit fraudulently should lose his goods.

MR. SERJEANT DOWSE entirely differed from the hon. and learned Member for Dover (Mr. Jessel) with respect to his ideas on the law of order and disposition. The Committee were not engaged in framing a commercial code. His experience in Ireland caused him to hope that that country might be exempted from any such change as the hon. and learned Member proposed. In his early professional career he practised in the Bankruptcy Court in Ireland, and he found no clause of the Bankruptcy Act more useful than the order and disposition clause. He repeatedly found that quantities of goods were allowed to be in the possession of a man for the purpose of giving him the appearance of being a rich mercantile man. When the matter came to be examined it was all a sham. He agreed with the hon. and learned Member for Richmond (Sir Roundell Palmer) that if the goods were in the bankrupt's possession by the consent of their true owner, the owner was to blame, and the proceeds of the goods ought to be distributed among the creditors. But he thought that "choses in action"—such as stocks and shares—should be exempted from the operation of the law.

Proviso *agreed to.*

Clause, as amended, *ordered* to be added to the Bill.

Clause 15 (Regulations as to first meeting of creditors).

MR. ANDERSON moved, in page 6, line 2, after "registrars," insert "or in his absence by a chairman elected by the meeting." In Scotland the creditors always elected their chairman.

The ATTORNEY GENERAL said, he was anxious that the registrar should be made to feel that it was his duty to attend at meetings and preside. But he would consent to the Amendment in this shape—that, in case of the illness or unavoidable absence of the registrar, the meeting might elect their own chairman.

Words *inserted.*

Amendment, as amended, *agreed to.*

Mr. WHITWELL moved, in line 5, after "debt," insert "of ten pounds or upwards.

The ATTORNEY GENERAL reminded the hon. Gentleman that all ordinary Resolutions at such meetings were to be decided by a majority of value. It was only extraordinary Resolutions that were passed by a majority of persons, and he did not see the principle of excluding any of the creditors.

After a few words from Mr. Peek in favour of restriction,

Amendment *negatived.*

Mr. WHITWELL moved to leave out sub-sections (4) and (5) relating to the qualification of creditors to vote.

After short discussion, Amendment *negatived;* other Amendments on clause *moved* and *negatived.*

Clause, as amended, *ordered* to stand part of the Bill.

Clauses 18 to 28 *agreed to,* with numerous Amendments.

House *resumed.*

Committee report Progress; to sit again upon *Tuesday* next, at Two of the clock.

PRISONS (SCOTLAND) ADMINISTRATION ACT (1860) AMENDMENT BILL.

On Motion of The Lord Advocate, Bill to amend "The Prisons (Scotland) Administration Act, 1860," *ordered* to be brought in by The Lord Advocate, Mr. Secretary Bruce, and Mr. Solicitor General for Scotland.

Bill *presented,* and read the first time. [Bill 143.]

JUDICIAL STATISTICS (SCOTLAND) BILL.

On Motion of The Lord Advocate, Bill to provide for the collection of Judicial Statistics in Scotland, *ordered* to be brought in by The Lord Advocate, Mr. Secretary Bruce, and Mr. Solicitor General for Scotland.

Bill *presented,* and read the first time. [Bill 142.]

TITLES TO LAND CONSOLIDATION (SCOTLAND) ACT (1868) AMENDMENT BILL.

On Motion of The Lord Advocate, Bill to amend "The Titles to Land Consolidation (Scotland) Act, 1868," *ordered* to be brought in by The Lord Advocate, Mr. Secretary Bruce, and Mr. Solicitor General for Scotland.

Bill *presented,* and read the first time. [Bill 144.]

COURT OF SESSION ACT (1868) AMENDMENT BILL.

On Motion of The Lord Advocate, Bill to amend "The Court of Session Act, 1868," in so far as the exemption of lighthouse keepers from serving on juries is thereby abolished, *ordered* to be brought in by The Lord Advocate, Mr. Secretary Bruce, and Mr. Solicitor General for Scotland.

Bill *presented,* and read the first time. [Bill 145.]

SEA FISHERIES ACT (1868) SUPPLEMENTAL BILL.

On Motion of Mr. Shaw Lefevre, Bill to confirm an Order made by the Board of Trade under "The Sea Fisheries Act, 1868," relating to Langston, *ordered* to be brought in by Mr. Shaw Lefevre and Mr. John Bright.

Bill *presented,* and read the first time. [Bill 146.]

PUBLIC PARKS (IRELAND) BILL.

On Motion of Mr. M'Clure, Bill to afford facilities for the establishment and maintenance of Public Parks in Ireland, *ordered* to be brought in by Mr. M'Clure, Mr. William Johnston, Mr. Pim, and Mr. Maguire.

Bill *presented,* and read the first time. [Bill 147.]

INCLOSURE OF LANDS (NO. 2) BILL.

On Motion of Mr. Knatchbull-Hugessen, Bill to authorize the Inclosure of certain Lands, in pursuance of a Special Report of the Inclosure Commissioners for England and Wales, *ordered* to be brought in by Mr. Knatchbull-Hugessen and Mr. Secretary Bruce.

Bill *presented,* and read the first time. [Bill 148.]

House adjourned at One o'clock.

HOUSE OF LORDS,

Friday, 4*th June,* 1869.

MINUTES.]—Public Bills—*First Reading*—Oxford University Statutes * (114).

Committee—Report—Religious, Educational, &c. Societies Incorporation * (81-116).

Third Reading — Government of India Act Amendment (104).

UNITED STATES—THE "ALABAMA" CLAIMS.

VISCOUNT STRATFORD DE REDCLIFFE, who had given notice to move—

"That an humble Address be presented to Her Majesty for, Copy of any treaty concluded between Her Majesty's Chief Secretary of State for Foreign Affairs and the Minister of the United States Government of North America respecting the so-called Alabama claims, be laid upon the Table of the House,"

said, the object of the Notice which I laid upon your Lordships' table before the Whitsun Recess, and which stands for consideration to-day, having been fully accomplished by the production of the Papers in question, it remains for me only to offer a few words in explanation of the motive which induced me to ask for them. The matter is one of very great importance; and I wish to make it clearly understood that, in moving for the Alabama Treaty, I had no desire to provoke a premature or inconvenient discussion of any differences existing between the British and American Governments. Still less had I in view to interfere with the free examination of such differences in the public Press. At the same time, it was manifest — particularly in the columns of that powerful daily print, which has earned the honourable title of our "leading journal," that the Press was in possession of information—and probably of papers relating to the Alabama claims, and other serious matters of dispute with America—which had not been communicated to either House of Parliament. It seemed to me that what may be termed a striking contrast between knowledge out-of-doors, and ignorance within might be carried too far; and that the time had arrived when the Treaties known to have been concluded between the two Governments and rejected by the United States should, in common decency, be laid upon the table of the House—or, at least, that the reasons for their being withheld so long should be submitted to your Lordships on the usual responsibility of Ministers. This could not be done on notice, without a simultaneous opening for debate; but the habitual prudence of your Lordships assured me beforehand that the risk of such inconvenience was not enough to outweigh the disadvantage which it had become so desirable to remove. In making this statement, I have no intention of casting a thought of censure upon the Foreign Department for any appearance of delay in communicating the Treaties to Parliament. I willingly presume that sufficient reasons have existed on public grounds for retarding a communication which, sooner or later, it would be necessary to make; and I venture to hope that the noble Earl opposite (the Earl of Clarendon) will be more inclined to commend than to blame me for affording him an opportunity of stating them to your Lordships. Even at this moment, if I were disposed to enter upon the subject-matter of the Treaties, I should find myself precluded — not, indeed, by the actual want of the requisite information, but by the want of time indispensable for perusing the Correspondence, and giving it a proper degree of consideration. Although the Treaties and Correspondence were laid upon your Lordships' table several days ago, they were not delivered at my house till hard upon the hour of noon to-day. The Press, as it would seem, has again obtained a certain degree of precedency over Parliament; and, if there be anything to regret in that circumstance, the ability of the article in *The Times* newspaper of Monday or Tuesday, containing a full, though compendious account of the late negotiations, may go far to atone for it. Even with such assistance as might be derived from that able and interesting statement I should be wanting in respect to your Lordships, if I were to rush into a discussion of such delicate matter, without the power of referring to the official Correspondence — from which, at present, I find myself debarred, as I said before, by the lateness of the delivery. It must be admitted that Her Majesty's Government — which ever party was in Office — had a most difficult and delicate duty to perform. On one side there must have been an anxious desire to overcome the provocations to quarrel and to preserve the relations of mutual kindness between two countries which, in reality, have the strongest possible reasons for being always at peace with each other. At the same time essential interests were to be guarded, and the honour of the Crown and nation were to be maintained, in company with every concession which the most liberal views of justice and international amity could suggest. It remains to be seen in what manner and with what success these diverging lines of negotiation have been brought together. Two things appear to be certain — first, that a Treaty, altered to please the American Government, has been sanctioned by both Governments and rejected by the American Senate; secondly, that we are at liberty to propose a fresh negotiation, or to decline a similar proposal, as may best suit our interest or convenience. Meanwhile, we have grounds for believing that an intemperate oration addressed to the American Senate, and extravagant to a degree of absurdity—a speech which, delivered by a man who has acquired some reputation, and who would have been thought to take into consideration the consequences of what he might say—this extravagant and absurd speech has carried with it its own antidote, by arousing the calmer judgment of the American people: and it is reasonable to expect that if Her Majesty's Government think proper to resume negotiations, for the laudable purpose of removing all possible causes of misunderstanding between England and America, they will not have to confront propositions which justice and honour, no less than the national interest, will compel us to reject. It has been said—though with little reflection—that the United States will bide their time, and abstain from calling us to a reckoning till, free from their own embarrassments and seeing us in difficulty, they may revive their suspended claims, and bring us, in a moment of weakness, to terms of their own dictation. God forbid that we should entertain so base a suspicion, worthy only of those benighted ages when passion, treachery, and violence prevailed in the councils of contending nations, and over-ruled every sentiment of justice and humanity. No, my Lords, notwithstanding some clouds which overhang the western horizon, I put my trust in the strength of public opinion, whether on this side of the Atlantic or the other, and in those ties of mutual interest and those sympathies of race and law which forbid the adoption by either litigant of any extreme or hostile course. The recent arrival in this country of a representative, known in both hemispheres for his great literary attainments, and enjoying a high social reputation in the old as well as in the new country (Mr. Motley) may be accepted as an omen of peace. I have the honour of this gentleman's acquaintance, and I believe that his high personal character, in harmony with the great reputation he has among us, will tend to import a spirit of peace and kindness into the negotiations entrusted to him. He comes among us once more with every personal motive for establishing his well-earned fame on the deep and durable foundations of success in pacific diplomacy; and we may hope that his instructions, proceeding from the same source as his appointment, will enable him to realize our friendly expectations. My Lords, I have said as much as circumstances allow on this important subject. I trust that I have not said more than prudence permits, and reserving to myself the discretion, if it should appear desirable, of going more completely into its merits on some future occasion, I leave the question with confidence to Her Majesty's Government, and emphatically to my noble Friend who is entrusted with the management of our foreign relations.

THE EARL OF CLARENDON: My Lords, as there are reasons, to which, perhaps, it is unnecessary to allude, why a discussion at this moment on the recent negotiations between this country and the United States would not be for the public advantage, I must thank my noble Friend (Viscount Stratford de Redcliffe) for the moderate tone in which he has called attention to the subject, and for the care he has taken not to add to the excitement which at this moment exists with respect to the so-called Alabama claims. I am very sorry that the Papers which I laid on the table on Monday only reached my noble Friend this morning, and I am unable to account for the delay; but I informed him on Tuesday that I had produced them, and he might have obtained a copy earlier than he did had he expressed such a desire. I think he rather implied that I had furnished the newspapers with information of which Parliament was not in possession; but I can only assure him that, as far as I am concerned, that has not been the case. Parliament has certainly a right to the fullest information at the earliest opportunity of proceedings of such high importance. As the Correspondence may not have reached other noble Lords till to-day, I think it may be convenient that I should give a very short account of what it contains. It will not be necessary, however, to refer in detail to matters which are well known to have been often discussed, nor to trace the controversy from the time when my noble Friend (Earl Russell) declared that the British Government was not responsible for the manner in which it gave effect to its own municipal law, and could not submit to the judgment even of a foreign Sovereign the responsibility of its conduct in that respect, however confident in his impartiality and discretion. My noble Friend who preceded me in Office (Lord Stanley) made this concession—that he offered to refer to arbitration the claims of American subjects arising from the losses sustained by the *Alabama* and other vessels; but in November, 1867, those negotiations were brought to an end by Mr. Seward declining to waive what he conceived to be his right to bring before the arbitration the question of the recognition of the Southern States as belligerents. In this state affairs remained till Mr. Reverdy Johnson's arrival. Mr. Johnson came to this country not only with friendly professions, but, I believe, with the sincerest desire on his part honourably to adjust the differences between the two countries, and to establish their relations on the footing on which they ought, and, I would almost add, they must be. I do not say this on account of the usual sentimental grounds, as I may call them—grounds of common ancestry, language, and free institutions, although to those I attach a very high importance; but on account of the incalculable and increasing material interests which now knit the two countries together, interests which are based on peace, and which the good sense of the two nations will not allow to be broken by war. The opinions of Mr. Reverdy Johnson in this sense were notorious through the United States, and his appointment, I believe, was unanimously ratified by the Senate, though it had vetoed almost every other diplomatic appointment made by President Johnson. There was, therefore. every reason to think that a more friendly feeling existed on the part of the people and Government of the United States. Mr. Johnson commenced his negotiations by making various propositions which Lord Stanley could not accept; but on the 9th of October last they concluded a Convention settling the question of naturalization, to which the United States attracted such importance that they made it the *sine quâ non* of any negotiations; and under that Protocol the question of indefeasible allegiance was settled by an agreement that a natural-born Englishman, on becoming naturalized in the United States, should divest himself of his former nationality. Considering the altered circumstances of our time, the facilities of communication, and the number of persons seeking to better their fortune by domiciling themselves in other countries, it was impossible, I think, for a country like England, which promotes and encourages emigration, to insist any longer on the doctrine of indefeasible allegiance. The Protocol signed by my noble Friend was more liberal than the Prussian treaty having the same object in view, for by the Prussian treaty it was insisted that a Prussian subject should be resident in the United States for five years before he obtained that right, whereas there was no such restriction in the Protocol signed by Lord Stanley. I merely refer to this as a proof of the desire of the British Government to meet the wishes of the United States. On the 17th of October Lord Stanley signed a Protocol respecting the San Juan Water Boundary, which has been more or less a matter of dispute for nearly fifty years, proposing to settle it on the basis originally suggested by my noble Friend (Earl Russell). On the 20th of October Lord Stanley and Mr. Johnson entered on the consideration of the *Alabama* claims; and, after some propositions on the part of Mr. Johnson had been very properly declined by Lord Stanley, Mr. Johnson proposed that two Commissioners should be appointed on each side, to whom all claims should be referred, and that the Commissioners should then appoint an Arbitrator or Arbitrators, to whose final decision should be referred any question upon which the Commissioners should not be able to come to a decision—it being provided that neither Government, in case this was agreed to, should make out a case in support of its position, and that no person should be heard for or against any such claim, the official Correspondence alone being laid before the Commissioners. This was put into a more formal shape, and on the 10th of November Lord Stanley signed a Convention with Mr. Johnson. Two days afterwards Mr. Johnson received a telegram from Washington from Mr. Seward stating that the Convention was entirely acceptable, except that the place of meeting should be altered to Washington. To this Lord Stanley acceded; and he had therefore every reason to believe that Mr. Johnson was not only fully empowered to sign the Convention, but that it would meet with the full approval of Mr. Seward, who was cognizant of every step which had been taken in the matter. It was not till the 27th of November that Lord Stanley knew it was objected to; and it was not till the 1st of December that he became informed of the nature of those objections, and that alterations in the terms of the Convention were proposed. The present Government, therefore, was met on the very threshold of Office by this diplomatic difficulty. We were told in a letter intended for Lord Stanley that Mr. Reverdy Johnson had misunderstood his instructions, that he had departed widely from the Convention of 1853, which was throughout taken as a model, that the President thought several of the articles of the Convention inadmissible, and that the Cabinet were agreed that the Convention could not be ratified by the Senate. Mr. Seward, at the same time, with great earnestness, begged Lord Stanley not to insist on the Convention being laid before the Senate nor refuse to complete a good work. A grave responsibility, therefore, rested on the Government, and we had either to insist upon the Convention being laid before the Senate—in which case we knew it would be rejected—or undertake to modify a Convention which was already signed. We felt that the former course would be open to much obloquy, and that our motives would be liable to misconstruction, and that we might be accused of refusing to accomplish a good work that had been nearly completed by our predecessors. We accordingly examined the modifications proposed, and found that in reality they were variations in form rather than of substance. On the 14th of January, I accordingly signed a Convention with Mr. Johnson, and both that and the Convention signed by Lord Stanley will be found in the Papers which have been produced. They are both at an end—they are now dead and buried—and I do not see that any useful purpose would be served by entering into detail into the differences between them. If, at any future time, the noble Viscount or any other noble Lord should bring forward the subject, I shall be perfectly ready to enter into the principles of the first Convention, which I think adhered far more closely to the Convention of 1853, which was of American origin and had been insisted on as the model which should be followed, than the one sent over by Mr. Seward. No impartial person, I think, will deny that everything has been done in order to meet the wishes and adopt the proposals of the American Government: indeed, so great has been the desire both of the late and the present Government to bring this painful controversy to a close that your Lordships may think that our concessions have been carried beyond a legitimate limit. I do not wonder, therefore, that there was no great expression of dissatisfaction when the negotiations fell through. I should also mention that while the Treaty was under the consideration of the Senate Mr. Johnson came to me and said he was advised that his Government had claims against the British Government which certainly were not recognized in the Treaty, and he therefore applied to have a supplementary Article added, or the first Article changed, so as to give each Government a right of bringing its own particular claim before the Arbitrator. That proposition, I need hardly say, was declined. It was only on the 3rd of April that we learnt that the Senate had refused to ratify the Convention by a Vote of 54 to 1, in accordance with the Report of the Foreign Affairs Committee; on which occasion Mr. Sumner delivered the speech to which the noble Viscount has referred—a speech much to be regretted, but upon which, I think, too great stress should not be laid, for Mr. Sumner is not a member of the Government; he does not speak under any Ministerial responsibility; and, although the Senate supported him by their vote, we have no reason to know that the members of that majority supported either his extravagant claims or his statements. I will not criticize those statements. Public opinion is made up upon them, and I quite agree with the noble Viscount that the practical good sense of the American people is leading them to form an estimate of the speech that does not differ widely from that formed in this country. Both Mr. Johnson and Mr. Sumner have rendered much service to this country, and I doubt whether that service could have been rendered so effectually in any other way. Mr. Johnson, in those numerous public assemblies that he attended, called forth a most spontaneous and manly expression of the friendship and good feeling which the English people entertain towards the United States—a feeling such as they do not entertain, and therefore could not express, towards any other nation; and, on the other hand, Mr. Sumner has elicited through his speech a response from the Press of this country, representing every shade of political feeling, which must make it equally manifest that, however much we desire peace, and however highly we value our relations with the United States, there is one thing we value more and which we can never submit to sacrifice—our national honour. I do not venture to predict what course events may take, and I cannot say what will be the course of Her Majesty's Government beyond giving an assurance that, notwithstanding all that has passed, there will be the same friendly feeling towards the United States and the same desire to bring this controversy to a close. I agree with the noble Viscount that it is a good omen that a man of Mr. Motley's eminence should have been appointed to represent the United States in this country. His historical reputation, his diplomatic experience, and his agreeable manners, will secure him a hearty welcome among all classes of the community, among whom he has many attached friends; and I think it is fortunate that so enlightened an observer of national character should be in the position which he now occupies, for he will know what he can fairly propose to us, and what we can fairly accept. I have, of course, had the pleasure of seeing Mr. Motley, but I have had no direct official communication with him, and I do not know what are his instructions. Having said this much, I think your Lordships will approve the reticence which I have thought it my duty to observe.

GOVERNMENT OF INDIA ACT AMENDMENT BILL—(No. 104.)

(*The Duke of Argyll.*)

THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3ª."—(*The Duke of Argyll.*)

LORD HOUGHTON stated, that having been unable conveniently to propose on a previous occasion his Amendment, enabling members of the Council of India to sit in Parliament, he should not now raise the question. It ought, however, to be seriously considered whether a clause in the Act of 1858 should be retained, which was objected to at the time, which deprived the Council of the services of the noble Lord (Lord Lawrence), the late Governor General, excluded other men who, on returning from India, might render great service, and debarred members of the Council from enjoying the privilege of representing constituencies in the House of Commons, where they would best become aware of the feelings and interests of their countrymen.

Motion *agreed to;* Bill read 3ª; Amendments made; Bill *passed*, and sent to the Commons.

House adjourned at Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 4*th June*, 1869.

MINUTES.]—SUPPLY—*considered in Committee.*
PUBLIC BILL—*Report*—Oyster and Mussel Fisheries Supplemental * [76].

NAVY—RESERVE CHANNEL SQUADRON.

QUESTION.

MR. GOURLEY said, he would beg to ask the First Lord of the Admiralty, If he will state to the House his opinion of the ability and fitness, or otherwise, for active Naval Service of the Coast Guard and Naval Reserve Seamen who composed the force recently under his command on board the Reserve Channel Squadron; if he will state in what evolutions the men and ships were exercised, and whether such as would arise out of knowledge gained by experiments made and being made in modern Naval warfare; and, if he considers that the present ships of the Reserve Squadron would be of use for active service in the event of war, and, if so, what branch?

MR. CHILDERS: In reply, Sir, to my hon. Friend I have to say that Admiral Key, who commanded the squadron of Reserve, is about to send in a full Report, with Tables, of the conduct and fitness for service of the Naval Reserve and Coast Guard men who embarked for the recent cruize. When the Admiralty have considered that Report it shall be laid upon the table, with any other Papers on the subject. It will also describe the evolutions and exercises of the squadron. I may, however, say in general terms that we have every reason to be satisfied with the men, as a Reserve, and with their conduct. With reference to the last Question, we are substituting for the old wooden line-of-battle ships, which formerly were used as Coast Guard ships, iron-clads of various types. Three were so substituted by my right hon. Friend opposite, and four more are now under orders to take the place of four wooden ships, which went with the squadron. I hope that by the end of the year the whole of the Coast Guard fleet will be efficient armoured ships; and we shall thus have at our command within a few hours a squadron of nine iron-clads, to supplement the Channel Squadron.

INDIA—BANK OF BENGAL.

QUESTION.

MR. G. GREGORY said, he wished to ask the Under Secretary of State for India, Whether any direction or order has been sent out for closing the agency established by the Bank of Bengal within the Presidency of Bombay; and, whether such order has been complied with; or, if not, whether any steps are being taken for enforcing the same?

MR. GRANT DUFF: Sir, no absolute order has been sent out; but we have directed the Government of India to use all its influence, which is, I need hardly say, considerable, to obtain the closing of the agency. The result is still unknown.

CLERKS TO MAGISTRATES.—QUESTION.

MR. RUSSELL GURNEY said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of the Government to introduce a Bill to render compulsory the payment of Clerks to Magistrates by salary?

MR. BRUCE replied that under the 14 and 15 *Vict.* power was given to counties and boroughs to make arrangements with the clerks to the justices that they should be paid by salaries instead of by fees, That power was permissive, but inasmuch as it had been taken advantage of by thirty counties, exclusive of Wales, and by certain Welsh counties also, as well as by a considerable number of boroughs, the Government did not think it would be necessary to bring in a Bill to make its adoption compulsory.

INCOME TAX.—QUESTION.

MR. POLLARD-URQUHART said, he would beg to ask Mr. Chancellor of the Exchequer, Whether persons who shall be liable to the payment of any rent, or any yearly interest of money, or any annuity or annual payment, either as a charge on any property, or as a personal debt or obligation, by virtue of any contract which shall be payable half-yearly, or at any shorter or more distant periods, shall be entitled and authorized on making such payment between the 1st of April 1869, and the 1st of January 1870, to deduct therefrom the amount payable under the Income and Property Tax of the present year; and, if such person is not authorized to make such deduction, what deduction he is authorized to make from the first of such charges payable in shorter than annual periods he may pay after the 1st of January 1870?

MR. STANSFELD replied that income tax under such circumstances could be deducted immediately after it had been paid, but not before.

IRELAND—THE FENIAN CONVICT O'DONOVAN ROSSA.—QUESTION.

SIR JOHN GRAY said, he would beg to ask the Secretary of State for the Home Department, If his attention has been directed to the statement published in one of the Irish newspapers, apparently on authority, to the effect that the prison authorities so secured the hands of one of the political prisoners by manacles behind his back, that he could neither dress nor undress, or raise food to his mouth, and continued this cruelty for thirty-three days; and, if the statement be true, was the circumstance reported to the Home Office, and is there any objection to place the Report before the House, with a statement as to whether the officer guilty of this cruelty was reprimanded or otherwise dealt with, and how?

MR. BRUCE: Sir, I am obliged to my hon. Friend for making this inquiry, for it is clear that the statement he has just made, if true, ought to be explained; if not true, it ought to be contradicted. Now, the facts of the case with regard to this unfortunate man—O'Donovan Rossa are these—He was committed to Pentonville on the 23rd of December, 1865. Under ordinary circumstances prisoners would be detained there nine months before being sent to the convict prison. But it was thought more humane, and more conducive to their health, to send these prisoners at once to Portland, which, if I may use the expression, is the most cheerful, and certainly most healthful of all our convict prisons. His conduct there was so violent and outrageous, and produced so bad an effect upon the other Fenian prisoners, that it was found absolutely necessary to send him to Millbank, to which place he was removed in February, 1867. What his conduct was while at Portland is described in the Report of Messrs. Knox and Pollock. The House will perhaps, allow me to read an extract from this Report, more especially as it is stated in the Report from which my hon. Friend quotes that O'Donovan Rossa was of a gentle and tractable disposition. The Report says—

> "The convict Rossa is a dangerous man, and must remain the object of unceasing anxiety and vigilance to the authorities. The senior warder at Millbank, a man of no mean experience in convict life, said that in the whole course of his career he had never met with the equal of this most unfortunate man, Jeremiah O'Donovan Rossa. He had no ill usage to complain of—no severity but of his own seeking. He must amend his ways, or abide his fate."

Again, it was said—

> "As long as the treason-felony convict Jeremiah O'Donovan Rossa was at Portland, so long were these prisoners in a state of chronic discontent, which found its expression in daily acts of insubordination, and words of insolent defiance. He has most properly been removed to Millbank, and an entirely different state of facts prevails. Since Rossa's removal the prison authorities express themselves as far more satisfied with the conduct of the treason-felony convicts; the convicts declare themselves far more content with the treatment they receive from the authorities. 'At present I find the state of things here almost relatively perfect happiness,' said treason-felony convict O'Leary to us. 'The conduct of the convicts has been far better, they are far more industrious, and far less insolent,' was in effect the language of the warders, many of whom in terms attributed the change to the removal of Rossa."

After spending a year at Millbank he was removed to Chatham on the 24th of February, 1868, and during the greater part of the time he continued at Chatham he continued the course of conduct which he had exhibited while at Portland. I will not weary the House by reading a list of the offences for which he has received punishment, but will refer only to those which occurred in June last. The general direction with respect to Fenian prisoners is to overlook minor offences for which ordinary prisoners are punished, and only to punish them for great offences. On the 1st of June, 1868, Rossa was reported for insubordinate conduct, refusing to work, and having his cell utensils in a filthy state, and he was sentenced to three days' close confinement on punishment diet. On the 5th of June he was reported for highly insubordinate conduct, using abusive language, refusing to get out of bed, and disturbing the quiet of the penal class, and he was sentenced to three days' close confinement on punishment diet. On the 9th of June he was reported for insubordination and disrespectful conduct to the governor—wilfully damaging two vests, highly insubordinate and disrespectful conduct towards the governor, and defacing his cell door, and he was sentenced to two days' close confinement. On the 15th of June he was reported for refusing to leave his cell and disrespectful conduct to the governor, for refusing to clean his basin, and damaging his vest and a gutta percha pint, and sentenced to two days' confinement. On the 17th of June he was reported for throwing the contents of his cell pot in the governor's face when under punishment in the separate cells. For that offence I need hardly say an ordinary prisoner would have been flogged; but Rossa was confined until the case could come before the Directors, which was in the course of twenty days, and then he was sentenced to twenty-eight days' close confinement in a punishment cell. Before alluding to the treatment he received in the cell I will read a statement made on the authority to which the hon. Gentleman has referred, that of Mr. Richard Pigott, who obtained admission to Rossa on the statement that it was necessary for his defence in an action that he should see him. I gave permission for him to see Rossa, and the use he made of his visit was to publish a letter, from which this is an extract—

> "I had the proud privilege of a slight acquaintance with him previous to his imprisonment, and a man of more gentle, more tractable disposition I never met. He was a model of strength and symmetry, and of a most robust constitution. He is now prematurely aged, and looks worn and delicate. He is suffering from a severe pain in his back, brought on by the severity of the labour he has to perform. As a sample of the 'kind treatment' he has experienced, I may mention the following, which I had from his own lips, in the hearing of the deputy governor of the prison and Mr. O'Donnell:—For thirty-five days he was kept in a dark cell, with his hands manacled behind his back night and day. He was not loosed even to take his food—thin porridge—which was left for him on the floor of his cell. Unless he elected to die of starvation, he had no alternative but to take it on all fours, as an animal does; so that when he was brought out to the light of day his brave, noble face was seen by his fellow-prisoners encrusted with the porridge which adhered to it. Is there a man of any country or of any creed, except an Irish Member of Parliament, whose blood does not boil with indignation at such devilish cruelty?"

Now, Sir, for the facts. The prisoner having committed these acts of violence, and being a very powerful man—so powerful that it required three or four warders to master him—was for a while manacled with his hands behind his back. But, so far from being kept in this condition thirty-five days, he was only so for a part of a day; but when he took his meals the handcuffs were placed in front, so that he was able to take his meals without difficulty. The punishment of manacling a man with his hands behind his back is never inflicted except when prisoners are so violent that they cannot to be restrained in any other way. Rossa's handcuffs were never on at night. The cell in which he was confined was not a dark cell. He was, however, confined in a dark cell for three days, under these circumstances—A few days after his release from handcuffs, while still under punishment, he smashed all the furniture in his cell, and while it was under repair he was placed in a dark cell, as a place in which he could do no further mischief. He was not handcuffed during this time. There is another statement to which allusion has not been made by my hon. Friend, but which it is desirable should be met and contradicted. The complaint is made that seven letters he wrote to his wife were suppressed, although written at the stated periods when even the vilest criminal is allowed by the prison rules to communicate with his friends. According to the prison rules he would have been entitled to write only one letter since his admission into the Chatham Prison. By the indulgence of the Directors he has been permitted to write no less than five; but these were so full of false statements, calculated to do public mischief, that the Directors were compelled to suppress them. Another statement is, that his appearance is quite changed, and that he has suffered very much from his confinement. Since he became an inmate of Chatham Prison his weight has increased from 163½ lbs. to 171lbs. His general health is now stated to be good, and he is reported to have the appearance of a man who is in excellent health. After what I have given of this unfortunate man's career, it is a real pleasure to say that since September, 1868, the date of his last offence, his conduct has greatly improved, and he has not incurred any punishment. Captain Ducane, in visiting the prison, told Rossa that his conduct had been outrageous and disgraceful; and that he was astonished that a man of his position should have been guilty of it. Since then, not only had Donovan behaved well and received no punishment, but Captain Powell said—"Of all the Fenian prisoners now under confinement, he is the best behaved." I trust that this statement of itself will be considered satisfactory by my hon. Friend. It is absolutely necessary that these prisoners should be subjected to all the discipline which is necessary for their safe confinement. I am sure there has been nothing vindictive or unusual in the punishment of Rossa, and nothing but what was consistent with the rules I have laid down; and I believe he has been treated with all the indulgence to which he could fairly be entitled.

SIR JOHN GRAY said, he wished only to say that every Member of that House must feel, with himself, that the statement just made was one of a highly satisfactory character.

COMMUNICATION BETWEEN RAILWAY PASSENGERS AND GUARDS.

QUESTION.

MR. HINDE PALMER said, he wished to ask the President of the Board of Trade, Whether he has any objection to make a Return of all Railways on which there have been provided, in compliance with "The Regulation of Railways Act, 1868," means of Communication between the Passengers and the Servants of the Company in charge of the Trains, stating what is the nature and description of such respective means of Communication, and what are the facilities for using the same in cases of emergency; and, Copy of any Reports of the Inspecting Officers in relation thereto not already laid before the House?

MR. BRIGHT said, in reply, that it was intended that the various railways should have applied the means agreed upon to their rolling stock by the 1st of April; but representations were made to the Board of Trade that that could not be done, and the time has therefore been extended till the 1st of July. It was, therefore, impossible before that time to give the hon. Gentleman the particulars for which he asked, but he knew no reason why they should not be given after that time. A Report was presented to the House from Colonel Yolland only last year, and since that time there had been nothing of importance which it would be necessary or desirable to place before the House. There were some few memorandums, which probably would add nothing to the information already laid before them; but if the hon. Gentleman would like to see anything there was at the Board of Trade bearing on this Question, the Papers would be quite open to him. After the 1st of July, he hoped that they would be able to give the particulars of the various plans agreed upon.

PORTUGAL—CLAIMS ON THE GOVERNMENT—QUESTION.

MR. DALGLISH said, he wished to ask the Under Secretary of State for Foreign Affairs, If the claims of those British subjects brought under the notice of this House by the Correspondence published in Parliamentary Paper No. 551, of Session 1864, against the Portuguese Government, on account of the Royal Union Mercantile Company of Lisbon, have yet been paid; if not, if there is any prospect of payment before the Portuguese Government obtains any further loans in this Country?

MR. OTWAY said, in reply, that the gentleman principally concerned was long a Member of that House; but he had suddenly been struck down by an illness which had disabled him from more actively prosecuting his claim. The Foreign Office had instructed Sir Charles Murray, not officially, to lend all the assistance he could to further the prosecution of the claim. There were funds accessible for the payment of Mr. Lindsay, but not of all the claimants, and he believed Mr. Lindsay was willing to take an equitable proportion, if that could be secured. As to any prospect of payment, before the Portuguese Government obtained a fresh loan in this country, that was a point on which he could not give any information to the hon. Gentleman.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

REVISION OF THE STATUTE LAW.

RESOLUTION.

MR. HADFIELD said, he rose to call the attention of the House to the revision of the Statute Law (with a view to the preparation of an edition of the Statute Law comprising only enactments now in force) under the following Acts, namely:—26 & 27 *Vict.*, c. 125 (1863); 30 & 31 *Vict.*, c. 59 (1867); and 24 & 25 *Vict.*, c. 101 (1861); and to inquire of the First Lord of the Treasury whether the revision is considered to be completed to 16 & 17 *Vict.*; whether it is intended to revise and repeal useless enactments subsequent to the 16 & 17 *Vict.*, to the current year during the present Session; whether, in either of such cases, the publication of the revised edition of the law is in course of being prepared for public use, and when it will be ready for publication; and whether it will be purchasable in a complete set of volumes or in separate volumes, and purchasable from time to time as each volume was published. We were as much removed now from having a plain intelligible code of statutes as we were thirty-six years ago. In France the Code Napoleon could be had for 7½*d.*, and in New York the whole code of American laws could be had for a small sum; but the statute book of this country comprised forty-six quarto volumes closely printed, and averaging something like 800 to 1,000 pages each. They occupied three shelves of his library, and cost him, as nearly as he could estimate, £130. It was in a chaos like that that the laws of England were to be found, and when you wanted a statute it was very like seeking for a needle in a haystack. He did not know whether the right hon. Gentleman the First Lord of the Treasury might not say that the uncertainty of the law was a good thing for the profession; but that was not the opinion of the profession. There was no class of men who had done more to amend and revise the law, and he was satisfied—putting aside a sense of honour—that their own professional advancement would be promoted by its simplification. Under these circumstances he would say—Let us begin over again. The old Law Commissioners were altogether worthless, and he wished he could say that he himself had received that assistance from the Law Officers of the present Government to which he was entitled. On March 18th he put a Question to the Government, and the inaccuracy of the reply was evident. The hon. and learned Attorney General had shown no knowledge of the subject, nor had he taken any pains about it; for he thought the revision had extended, not to the present time, but to something like the 10 *George* III.—that is, 1770, or nearly 100 years ago; while, in fact, it extended to 17 *Vict.* Let us have no more to do with these Commissioners, but come to a new state of things. Other countries had revised their laws in a few years; the revision of our statute book had taken thirty-six years, and had cost £80,000, which might as well have been thrown into the river. In 1833 a Royal Commission was issued for inquiry into the Statute Law, with the view of reducing the bulk. That produced nothing, but it left a mark on the revenue of the country. It became necessary to have a second Commission in 1845. Nothing was done by that body, but it cost the country £12,557. Further action was taken on the subject in 1854, in 1861, in 1863, and in 1867, the object being to relieve the statute book of obsolete laws. Instead of forty-six volumes, he was confident that not more than one-eighth of the number would be actually necessary. Private efforts had been made in this direction; an arrangement of leading statutes in two volumes, with notes for the use of the legal profession, had been made by the late Sir William David Evans; and the late Mr. Chitty had also brought out the statutes in a revised shape, with notes. Chitty's work, he believed, had superseded Evans's. One of the two gentlemen who had lately been engaged on the work of revision had been discharged, as they had been informed, by a Treasury Minute; and, therefore, there was only one who was now engaged on it, at a salary of £1,000 a year, and with a secretary. What was that gentleman doing? Did the right hon. Gentleman expect that that gentleman would revise the statute book and enable it to be given to the public at a cheap rate? He (Mr. Hadfield) would regard the £80,000, and the thirty-six years that had been spent on the revision, as nothing if the working man and the public generally could be furnished with the statute book at a cheap rate. The purchase of the statutes was no small achievement to a young man upon entering on his professional career; and, therefore, barristers and attorneys, as well as the public, were interested in having the law codified. The present state of things tended to the infliction of injury even upon persons who acted under legal advice. He knew of three persons so situated, who, believing that they were acting in accordance with law, found themselves subjected to four months' imprisonment. Till he got information on the subject from his hon. Friend the Member for Surrey (Mr. Locke King) he had had no idea that the work for which £80,000 had been expended was done so slovenly. A gentleman proposed to satisfy the country if they would allow him to revise the statute book, but he was dismissed and treated with ignominy. The policy of the Commissioners seemed to have been to occasion as much delay as possible. They received £1,000 a year, and their principal work seemed to be to sign receipts for their salaries. That system must be put an end to. No blame attached to the right hon. Gentleman at the head of the Government. Many Governments had had to do with this matter but nothing satisfactory had been accomplished.

Mr. LOCKE KING, in seconding the Resolution, said, that having on so many former occasions gone into that question, he would now only remind the House that the state of our law was most disgraceful. The unwritten law was scattered over he did not know how many volumes of reports, and the written law was scattered over he did not know how many thousand statutes. Those statutes used to occupy forty ponderous volumes, but he believed the number was now more than fifty. In 1833 a Commission was appointed, consisting of men who were anxious to obtain salaries, but by no means anxious to do any work, and who went on for fifteen or sixteen years without producing a single result. At last the Commission—which was a great job—dwindled down to one Commissioner—a notorious individual, who took a good deal of killing. He believed that he (Mr. Locke King) was at him for seven years before he could quite be got rid of. This one individual, with his secretary, professed to do something but did nothing. Then those who took an interest in the matter were fed with new promises, and a Lord Chancellor made a grand speech on that subject, winding up with a promise that he would give them a "Code Victoria"; but everybody knew that nothing would be done. Mr. Anstey and Mr. Rogers were employed, and actually set to work and prepared an expurgatory list, which he himself extorted from the Commission, as the groundwork of anything else which might afterwards be done. But Mr. Anstey and Mr. Rogers were dismissed, really because they did too much, and because if they continued their labours at the same speed the Commission would not last, and the notorious individual to whom he had referred would have lost his place. Nothing having resulted from the great expenditure mentioned by the hon. Member (Mr. Hadfield), the only course now open was to begin *de novo*. When Lord Bacon made his memorable complaint about the state of the Statute Law in the reign of James I., the Statute Law was comprised in one large folio volume, the average number of public and general statutes then passed being six per annum; whereas they now passed about 100 such Acts every year. The statute book should be expurgated of all useless matter and re-printed in a condensed form. By that process the fifty volumes would probably be reduced to ten; and then they might eliminate all the parts of statutes which had been repealed. In that way they would get a consolidation of the law, and after that they might proceed to do that which had been done in France. It was no Radical proposition that it should be done in England for Lord Lyndhurst had advocated it. The French code was published every year for 75 centimes. What he desired to see effected here had also been effected in America, at a small cost, and in the short space of two years. He had no desire to press that question at the present moment on the Government, who had enough in hand. But he wished to obtain from the First Minister of the Crown an assurance that the ground would be cleared in that matter by getting rid of the incumbrance of men who were professing to do something, and yet really did nothing; and that the work of consolidating the law would be vigorously pursued in the course of next autumn. They had now a Lord Chancellor whom they knew to be sincere, and they had also a most diligent Law Officer of the Crown sitting in that House. The cost of the work, which would be nothing like the sum of £80,000, which had already been thrown away, would not be grudged, and the people of England would have, as they were entitled to have, the law of their country in their hands.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Royal Commissions (1833 and 1845), and other measures for the revision of the Statute Law, having occasioned an expenditure of £80,619 5*s.* 1*d.*, and the results being unsatisfactory, it is, in the opinion of this House, expedient to discontinue the present course of proceeding, and the expenditure consequent thereon,"—(*Mr. Hadfield,*)

—instead thereof.

MR. GLADSTONE said, he was afraid he would not be able to answer his hon. Friend (Mr. Hadfield) as satisfactorily as might have been the case if he had been more fully aware of the gist of the proceeding which his hon. Friend intended to take. Having had no other knowledge of it than could be derived from the Questions on the Paper, he had concluded that his hon. Friend aimed at nothing more than eliciting from him a short account of what was now in course of proceeding, and that there for the present the matter would drop; but his hon. Friend had moved a Resolution which involved a further subject—namely, whether they should break in upon the process now going forward, and substitute some new process. He was, therefore, hardly in a position to give either of his two hon. Friends who had last spoken the positive assurance for which they asked, that a new method of proceeding would be adopted, inasmuch as the Members of the Government, more competent than himself to form an opinion, and especially the Lord Chancellor, had not had an opportunity of considering the subject. He was much less competent than either of his two hon. Friends to judge of the proportion which did obtain, and which ought to have obtained, between the very large expenditure returned to Parliament in connection with a revised edition of the statutes and the results already attained. But while he was not competent to pass a judgment or a censure upon anybody, he yet shared to a great extent in the regrets which both his hon. Friends had expressed on finding that a sum of over £80,000 had been expended, not upon the higher process of codifying the law, but upon a series of attempts to produce simply a revised edition of the statutes, and that still they were not in possession of that edition. He would explain as well as he could the present state of the operations and the expenditure; and it would then be for his hon. Friend to consider whether he would call for further information in a more strictly official shape, and whether he would now press upon the House any positive proposal for altering the mode of proceeding. As no notice had been given of the Resolution, he might assume that his hon. Friend would not now require the Government to give a definite judgment upon it. The present state of the proceedings and expenditure he could best describe by referring to a letter addressed by Lord Cairns, as Lord Chancellor, on the 9th of July, 1868, to Sir John Shaw Lefevre. That letter, he believed, had not yet been presented to Parliament, but there would be no objection to lay it upon the table of the House. In that letter Lord Cairns stated that, with the concurrence of the Lords Commissioners of the Treasury, he had determined that an edition of the statutes should now be prepared and published, "containing, as far as may be, only such Acts as are now in force." His Lordship then proposed to nominate a Committee for making the necessary arrangements—and he might here remark that there were not now in existence any Commissioners for the expurgation or revision of the statutes. Well, Lord Cairns proposed the nomination of the Members of the Committee, and the choice certainly appeared to have been made with very great discretion. After requesting Sir John Shaw Lefevre to act on the Committee, Lord Cairns said—

> "I desire to associate with you the following gentlemen—namely, Sir Thomas Erskine May, K.C.B., Clerk Assistant of the House of Commons; Mr. Rickards, Mr. Speaker's Counsel; Mr. Thring, the Parliamentary Counsel to the Home Office; and Mr. Reilly, who was for some time engaged in the work of Statute Law revision."

He believed that none of these gentlemen received any remuneration for the labour they gave in connection with this work. Lord Cairns added—

> "Mr. Arthur John Wood, who has been engaged in that work from its commencement to the present time, will be the editor, subject to the superintendence of the Committee."

Mr. Wood was a paid officer, and the Treasury were in communication with him, with a view to fixing the period over which the work was to extend. That was the state of the case at present as far as expenditure was concerned. With regard to the progress which had been made, his hon. Friend had first asked whether the revision was considered to be completed to the 16 & 17 *Vict.* The answer to that was that the Act of 1861 covered the period from the 11 *Geo.* III. to the 16 & 17 *Vict;* and that the revision for that period could not be said to be absolutely completed, and for this reason—Further experience had shown that the process of revision by express repeal might be beneficially extended to some classes of useless statutes.

as, for example, expired Acts. But with the exception of these the revision was complete as regards the period ending in 1861. With regard to the second Question, whether it was intended to revise and repeal useless enactments subsequent to the 16 & 17 *Vict.* to the current year during the present Session, the reply was that a Bill was in an advanced state of preparation for the completion of the revision from the close of the period embraced in the Act of 1861 down to the present time. But it was not contemplated that that Bill should be passed in the present Session, inasmuch as the exertions of these gentlemen were still engaged on the revision of the earlier period before 1861. The question of the preparation and publication of the revised edition of the statutes, with the requsite notes, was under the consideration of the Treasury, and the edition, he could not doubt, would be published, but the publication of an edition of the statutes with a large number of copies distributed gratuitously involved considerable expense as well as considerable labour, and the Treasury had not yet entirely come to an agreement with the Committee as to the form and the cost, which they, of course, desired to keep within moderate bounds. The first volume might probably, he understood, be published in the course of this year, as a part of it had been already sent to press. In reply to the hon. Gentleman's fourth question, he would state that the volumes would undoubtedly be purchasable separately as published. There were two other works which it was considered would be very useful, and which were in preparation along with the expurgated edition of the statutes. The first was a chronological table describing the statutes of the earlier period, with a column showing whether they had been repealed, and, if so, by what Act. The second work was an index to all statutes now in force, digested under alphabetical heads. These two works, though not comprised within the strict definition of the edition, would yet be of great utility, and both of them brought down to the present day, would be ready for publication before next Session. Such was the position of this important question as regarded the proceedings which were going on, the progress which had been made, and the expenditure which was now being incurred. If his hon. Friend the Member for Sheffield (Mr. Hadfield) required further information, probably his best course would be to confer with his hon. Friend the Secretary to the Treasury (Mr. Ayrton) as to the best form in which it could be laid before the House. The hon. Gentleman would then be in a position to consider whether he should ask the House to come to a positive vote on the subject. At all events he hoped the hon. Gentleman would not on the present occasion ask the House to divide on his Resolution.

Mr. HINDE PALMER said, he thought the House ought to receive a more positive assurance that some responsible Minister would undertake to ascertain from time to time what progress was being made, and to report to Parliament at the commencement of every Session what had been done during the previous year, otherwise we might find ourselves in the same position thirty years hence. The delay was owing to the fact that the men appointed to do the work were generally barristers having a large practice, and in attending to the daily business of their profession they neglected the work of revision. He did not think that absolutely nothing had been done; but still he was of opinion that what had been done was nothing in comparison with the time and expense which had been bestowed on the undertaking. A codification of the whole of our law was required, as well as a consolidation of the statutes of the realm. Lord Westbury, some years ago, proposed a comprehensive scheme on this subject, but nothing was done in the matter.

Mr. AYRTON said, he could assure his hon. Friend behind him (Mr. Hadfield) that the Government approached the subject fully alive to the importance of the views to which he had given expression. When this proposal was brought under the consideration of the Treasury, the first thing they had to inquire into was the prospect of completing the work on which Lord Cairns directed the Committee to embark, and the Treasury determined that the work should not be undertaken until a clear arrangement had been arrived at to insure the publication of an expurgated edition of the statutes within some definite period. The attention both of the Committee and the Treasury had been directed to the subject with the view of coming to a positive understanding on the point, and as soon as it was known precisely what an expurgated edition of the statutes would cost, and when it would be delivered to the public, and not before, the work would be undertaken. The Treasury, he could assure the House, would very carefully watch over the proceedings of the Committee to see that they adhered to the arrangement when it had been made. The Treasury had been warned by the enormous sums that had been wasted in such attempts, and would, as far as possible, enter into a definite contract to complete the whole operation, which, if his hon Friend desired it, might be laid on the table of the House. If the undertaking were embarked in on a great scale the result would be that the Committee, in seeking to do too much, would be likely to effect nothing, and for that reason the labours of the Committee had been limited. The codification of the whole of the statutes was a work which it would take years to accomplish without a considerable number of persons were employed upon it. The next effort would be consolidation, but as that re-opened many difficult questions, it also required much time. The least difficult course was expurgation, which required less time and expense, and could be readily carried out, and the best course to pursue was, he thought, in the first instance to adopt a scheme which was practicable, and afterwards to go on improving in the way which might be deemed most desirable.

MR. SERJEANT DOWSE said, he wished to know whether it was proposed in this consolidation of the statutes to include those of Ireland, because it was a matter of considerable importance to that country, the present state of things being a real grievance. The statutes in force in Ireland were divided into four classes. The statutes passed in England before Poyning's Act—those passed in Ireland before the Union—those passed after the Union, which applied alone to Ireland, and those which applied both to England and Ireland. The statutes before Poyning's Act would of course be consolidated; but would the Irish ante and post Union Acts be dealt with by the Committee?

COLONEL FRENCH said, the only satisfactory statement which he had heard on this subject was that just made by the right hon. Gentleman at the head of the Government. He hoped that this expurgation, which had been dragging on for thirty-five years, would soon be completed.

THE ATTORNEY GENERAL, in answer to the hon. and learned Member for Londonderry (Mr. Serjeant Dowse), begged to state that this expurgation of the statutes would embrace all the Irish Acts passed since the Union, but not those passed before that time. The hon. Member for Sheffield (Mr. Hadfield) had accused him (the Attorney General) of having shown ignorance in asserting that the revision of the Statute Law had not been completed beyond the tenth year of George III. It was but too true that the revision was not complete beyond that date. Although an Act had been passed in 1861 purporting to carry the revision down to the 16 & 17 *Vict.*, that Act had been found to be defective, and a Bill was now in preparation for completing the revision from the 10 *Geo.* III. to the present time.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 217; Noes 64: Majority 153.

Main Question proposed, "That Mr. Speaker do now leave the Chair."

OPENING OF MUSEUMS, &c., ON SUNDAYS—OBSERVATIONS.

MR. W. H. GREGORY said, he regretted that, owing to the forms of the House, in consequence of the division that had taken place, he was unable to do more than to raise a discussion, but was unfortunately prevented from testing the feeling of Parliament upon his Resolution. The subject he was about to bring forward hardly required a long speech. It was one generally understood—one upon which most people felt strongly one way or the other, and upon which very little new light could be thrown by any speaker. He thought, however, that his Resolution—the passing of which was regarded with so much interest by so large a portion of the London working population—as the huge Petitions by his side, signed by 47,000 of its inhabitants, sufficiently proved, and which was supported by the names of the most eminent men in England, should be thoroughly discussed and tested in a new, and above all, a Reformed Parliament. He (Mr. Gregory) had used the expression that the most eminent men in the kingdom were favourable to the opening of galleries and museums on Sunday afternoon, for in 1860, a Memorial was presented to Her Majesty, signed by 943 gentlemen connected with literature, science, and the fine arts, to this effect—"That if the public museums and galleries were open to the public on Sunday afternoons it would be an inestimable boon to the labouring population, would raise up an opposing principle to intemperance and immorality, and in every way advance the condition of the people." To this Petition he found appended the names most famous in science, art, and literature in England, and this day he had presented another similar Petition, with the same object, from the same class. He had, on the other hand, never heard that a Petition signed by men eminent in anything had ever been presented against those relaxations of Sabbatical severity which had from time to time been demanded and conceded. Another reason had influenced him in the wish to have this subject once more thoroughly sifted, and that was that since 1866, when it was last discussed, a great concession had been made in Dublin. The Botanical Gardens, near to Dublin, and the National Gallery of pictures had been thrown open on Sundays, and it was expected that the other museums, when in a fit state to receive the public, would, in compliance with the recommendation of the Select Committee of 1864, be also opened. He would presently show how far this concession justified the fears of the opponents of Sunday opening or confirmed those who were in favour of it. But before going into these matters he would be glad to get rid entirely of the religious element, that is, so far as appealing to Scripture, freeing themselves from the confusion of the Christian Sunday with the Mosaic Sabbath. He would simply remark to those who regarded Sunday as the Sabbath, that the tendency of the New Testament, whenever the Sabbath was referred to, was not to draw tighter but to relax its severity, and that our idea of the Sunday restriction was pushed to an extreme which the Jews themselves did not recognize as imposed by the Law of Moses. They abstained from work, but not from recreation. He might also remark that the sentiments and teaching of the primitive Church was entirely free from that severity which we impose by legislation. So was the authority of the bulk of subsequent Christian churches; such were the views of Luther, Melancthon, and, he might add, Calvin. Such were the views of the early English Reformers, especially of Cranmer, as might be seen in his Visitation Articles. Such were the views of that eminent man, Dr. Arnold, who had so deeply influenced the thought of the present time. Such also were the opinions of the Rev. Newman Hall, the well known and excellent Dissenting minister, who, though opposed to Sunday opening, stated, in his evidence last year, that his opposition was based, not on grounds of religion but of social advantage; and he did not scruple to add that he would prefer to have galleries and museums open and the public-houses shut, rather than have open public-houses, and closed galleries. He (Mr. Gregory) would not have ventured to have dwelt so long on the religious portion of the question, but from the fact that so large a number of persons were influenced by religious motives only apart from all social considerations. The hon. and learned Member for Richmond (Sir Roundell Palmer), when speaking on this subject, some years since, treated it purely as a religious question. The hon. and learned Gentleman said on that occasion—

> "Who can deny that the general testimony of the religious bodies of the country, and the great majority of religious men of the country, were opposed to the opening? Let the House take the testimony and rely on the judgments of those on whose convictions the institution rests. If the ministers of religion are more active than others, the reason, no doubt, is that they know better than others what the interests of religion really are."

Now this appeared to him a most untenable and intolerable doctrine, that the clergy of a Protestant country, and the self-styled religious people were to have the power of saying—"We are the elect; we know what the interests of religion really are; this or that is connected with religion, and we alone are competent to pronounce an opinion on it." Claims such as these had been asserted in a variety of cases; the running of trains; the imbibing of a glass of beer; the playing of bands; to go even further the grant for Maynooth. All these subjects the great mass of the ministers of the Church and of religious men so-called had endeavoured to identify with religion and to constitute themselves arbiters of, and so they should be according to the claims advanced for them by the hon. and learned Gentleman. But he went even farther, and said—

> "If we assert that it is a fit thing to invite the working classes to a place of secular amusement, however refined, or of secular instruction, however excellent, upon a day consecrated hitherto to religion, we shall be putting intellect into competition with religion, and, in that way, putting the Museum in competition with the Church."

A more unfortunate doctrine than this to broach he could scarcely conceive. Because a day was devoted to religion, therefore the bulk of British subjects was to be confined strictly to the contemplation of religion alone, whether they wished it or not. Intellect was described as being in competition with religion, and, as it were, the foe of religion, instead of being considered, as it ought to be, the champion of religion—the first illustrating and confirming; the second elevating and ennobling the other. He (Mr. Gregory) regretted to find that a man so benevolent and so able could be found to argue that penalties and restrictions and inconveniences should be imposed on his fellow-countrymen, on the ground of maintaining and upholding religion. Half the sorrows and crimes of centuries had arisen from the temporal arm being raised to vindicate what was supposed to be the will of God. The same Kirk which spread desolation and terror through Scotland, by enlisting the State in its persecution of witchcraft, would still enlist the State to make one day in the week a day of gloom and misery to millions of their fellow-Christians; and a new Synod of Aberdeen, though it might not send Sabbath-breakers to the fire and water and the boot, would not be less willing than its predecessor of 1603 to inflict the most grievous punishments on these supposed enemies of God. No! for Heaven's sake, let this question not be argued on religious grounds, or upon the opinion of clergymen, or of the devout portion of the community; bearing in mind the memorable words of the historian, who wrote the history of the black and bitter days of English persecutions, that—"The worst curse which had afflicted the world was the tyranny of mistaken conscientiousness." It was quite another thing to take the line of the Rev. Newman Hall, and to argue this matter as one of social advantage. That was perfectly fair and legitimate. One could then discuss the case on the ground of morality, and of public advantage, and support one's argument by authority and experience, without being at once poleaxed by the verdict of the so-called religious world. Now, before going into this branch of the argument, he would wish to place his cards on the table, and to let his views on the subject be clearly understood. He (Mr. Gregory) was as ready as the Chairman of the Lord's Day Observance Society itself to look upon the Sunday, and to maintain the Sunday, as a day set apart for religion, rest, and recreation. For religion in the first place—for rest and harmless recreation afterwards. Without taking the superstitious view of it, he would resist any innovation upon what he might call the solemnity of the Sunday, with as much earnestness as the most devoted Sabbatarian. Last year, in a debate upon the Sunday Evening Lectures Bill, the hon. Member for Cambridge University (Mr. Beresford Hope) drew a comparison between three ideal Sundays—the French, the Scotch, and the English, and he entirely agreed with the hon. Member. If he (Mr. Gregory) deprecated the stern and gloomy character of the Scotch maintenance of Sunday, he still more disapproved of the utter want of reverence which characterized the proceedings on Sunday in many parts of Europe. It was most revolting to him to see in the great capital of France large numbers of the working classes in their working dresses, and engaged in their ordinary labour; and he sincerely trusted that the working classes of England would never be induced to tolerate, for one moment, the view adopted by too many of their French neighbours—that the Sunday might be a day of work in the morning, so long as it might be an evening of dissipation. There remained the English view, which he thought was the right one—namely, that every inducement should be adopted to bring the mass of the population to religious worship in the morning, and that the afternoon might be employed in innocent or profitable recreation. Such observance of the Sunday as this was best for the moral and physical improvement of the masses in the great towns. Nothing could be more true, or, indeed, more touching, than Archbishop Manning's evidence last year before the Committee on the Sale of Beer—

> "I believe that where men's minds and bodies have been in a state of tension for six days in the week, it is absolutely necessary for them to have more than the simple use of their limbs. I think they require something that shall cheer life, and give them new ideas; but they do not get it. . . . . I do not think we have done enough for the working people in our large towns. In the country, our people have the fields, and the trees, and the sun, and their children to walk with them; and I believe that they have thus very great mental relief upon their only day of rest; but I do not think that in London or any of our large towns, our poor working men do get the relief they want."

This view has been corroborated by the testimony of those who could speak with authority on the subject. He found the evidence of the London police magistrates—than whom none could speak with greater power as to what would most conduce to mitigate drunkenness and brutality in the metropolis—unanimous in favour of increasing innocent recreation for the working classes on the Sunday. Such was the opinion of Mr. Norton, of Lambeth Police Court; of Mr. Hardwick, of the Marlborough Street Court; of Mr. Long, of the Marylebone; and of Mr. Coombe, of the Southwark—of these he would only quote one sentence from Mr. Long, and another from Sir Richard Mayne. Mr. Long said—

> "Encourage the people to take innocent recreation on Sunday, and you will confer a great benefit on society. In proportion as you give people better taste, they will relinquish low sensualities."

Sir Richard Mayne reported—

> "I have seen a great improvement in the people, and consider part of it, at least, to be owing to the greater opportunities which have been given for their amusement, and the employment of their time on Sundays, in other places than public-houses—Richmond Park, Hampton Court Palace and Grounds, the Botanical and Pleasure Gardens at Kew, and Bushy Park, attract large numbers on the summer Sundays, and I do not think I have been obliged to increase the numbers of police in these places, although the attendance has so largely increased."

And to this, he would add the confirmatory statement of Lord Llanover, when Chief Commissioner of the Board of Works, who stated—

> "The Sunday visitors to Kensington Gardens had, by the band playing, increased from 7,000 to 80,000. In the Regent's and Victoria Parks, 190,000 had been present at the playing of the bands, and so far from tumult or disorder arising, he had ascertained from the magistrates of the neighbouring police courts, that the Monday morning cases had decreased."

This was London experience. Now, let him ask their attention to Dublin experience. A few years ago there was a demand, in Dublin, that the Botanical Gardens at Glasnevin should be opened to the public after the hour of Divine service. He (Mr. Gregory) gave notice of a Resolution to give effect to the generally expressed wish. Immediately throughout England and Scotland a cry arose of profanation of the Lord's day—just as at present, Petitions poured in and deputations beleaguered the public offices—but the loudest accents of religious indignation arose from the members of the Royal Dublin Society, who had the management and control of the gardens, although the whole expense of them was paid by the State. These gentlemen had the exclusive privilege of walking during the Sunday in these gardens—and they did use them—they and their wives and their little ones, without let or hindrance. There was no Sabbath breaking then. The Lord's Day was duly observed so long as they had the Gardens to themselves; but, as soon as they found that the poor sons of toil, who had been labouring all the week, were desirous to intrude upon their privacy, no words could describe the horror they felt of the profanation of the Sabbath. They intimated that, though a Sunday walk in these Gardens was lawful and expedient for them, it would sap all feeling of reverence for the Lord's Day in the minds of their poorer brethren. They prophesied every imaginable evil; that the people would get drunk; that they would be establishing a kind of Donnybrook fair; that they would smash the flower pots, and rush like savages through the flower beds; and lastly, they said the people did not wish to go at all. But the Government was firm—the right hon. Gentleman the Chancellor of the Exchequer (Mr. Lowe), then Vice President of the Council, accepted his (Mr. Gregory's) proposal—the Gardens were opened. They said the people would not come—in 1860, after the opening, 270,547 persons visited them; of these 212,330 were Sunday visitors, and only 58,217 week-day. They said the people would commit mischief, and smash all before them—the intelligent and most able curator, Mr. Moore, had told him recently, that nothing could be more exemplary than the conduct of the masses who had come there; that not the slightest injury had ever been done, and that the people themselves, looking now for the first time on these Gardens as their property, were the best police that could be employed. As to drunkenness, so far from its being increased, he (Mr. Gregory) had the testimony of the magistrate residing in the neighbourhood that it had decreased; and, although over a million of persons had visited these Gardens since their opening, he had that morning received a letter from Mr. Moore stating that only one person had been removed for drunkenness. The Government was so satisfied with the result of this experiment that the National Gallery in Dublin was also opened on the Sunday, and it was thronged with members of the working classes. The late Director, Mr. Mulvany, had asked him (Mr. Gregory) more than once to go with him on the Sunday to see the class of people who frequented the Gallery and how they behaved. He had done so, and he could bear this testimony,—the rooms were crowded with persons who seemed to have been of the wage classes, they were accompanied by their wives and children; they seemed to derive the greatest enjoyment from looking at the collection of very bad pictures, and nothing could have been more decorous than their conduct. This was the result of his own experience. Now he would give one more example of the beneficial effect of innocent recreation on the Sunday. Sir Joseph Paxton, in his evidence before the Public House Committee, in 1864, mentioned that from 500 to 800 persons used to come from Sheffield on a Sunday to visit the Duke of Devonshire's Gardens at Chatsworth, which were freely opened to them. Owing to alterations going on, the Gardens had to be shut for the time; but Sunday drunkenness increased so much in the neighbourhood that Sir Joseph had to request the Duke, in spite of the works going on, to throw open the Grounds again, and drunkenness ceased as if by magic. He (Mr. Gregory) had already shown drunkenness had ceased in the neighbourhood of Kew since the opening of the Gardens. But he (Mr. Gregory) would go still further. He would maintain that the opening of scientific and artistic institutions, so far from placing the intellect at war with religion, would be the means of exciting thought and reverence among vast masses of men who never thought nor revered at present. You know you cannot force the people into your churches. The very persons who have most need of moral influence stand aloof. He did not pretend to say that the Sunday opening would wean the profligate from profligacy, or the drunkard from the gin bottle; but there were thousands of persons whose hearts might be stirred to thought and reflection from the contemplation of the noble works of nature and of man that these collections would afford them. You cannot awaken that thought and reflection by your churches. Try then other means which are harmless and even praiseworthy. "Which was nearest to religion, science or sensuality?" was a question put by Mr. John Stuart Mill. Well, what objections remained ?—That additional expense might be incurred. He (Mr. Gregory) only noticed this because he had seen it referred to with some stress in certain newspapers—but what would it amount to ? Scarcely anything. The additional expense of opening Kew Gardens on Sunday was £150 per annum, which, on calculation, was less than £1 per 1,000 visitors. The only institutions to be opened in London by his Resolution would be the British Museum, Jermyn Street, South Kensington Museum, National Gallery; and there would be none else that he was aware of at present in England. Then came the argument against additional Sunday labour. He had asked Mr. Cole, and was informed by him that, as regards the Kensington Galleries, he would just require four men and no more in addition to those necessarily employed. Dr. Gray, of the British Museum, gave additional testimony as to the small increase of attendants that would be required. If any attendant had conscientious objections he could be excused, and he (Mr. Gregory) verily believed that if all the museums and galleries in London were opened, there would not be required more than forty attendants, in addition to those at present employed. He (Mr. Gregory) laid some stress on these figures, for the opponents of Sunday opening were loud in their denunciation of the additional labour which this opening would impose;

and yet it turned out to be perfectly infinitesimal, if compared with the unnecessary work now done on Sundays and which was tolerated and even hardly objected to. But the most formidable argument of all, and one which seemed to exercise the greatest weight on Her Majesty's Government, was that it was unwise; except for some very marked advantage, to give a universal shock to men's consciences by accepting a proposal, even though the proposal might be good in itself. He (Mr. Gregory) was not unwilling to entertain that view of the matter. For that reason he had excepted Scotland from the Resolution, for he believed that, in Scotland, the mass of public opinion and even of enlightened opinion was in favour of a strict and stern observance of what was there considered to be the Sabbath. He only hoped that time and thought and the experiences derived from Ireland and England would mitigate that feeling, but he would leave all that to time, which worked many wonders. But he denied the shock to the public conscience of England—it was clear it did not exist in Ireland—nothing in his opinion would be more unfair than to judge of English opinion by the petitions presented. They were presented chiefly by the Dissenting congregations—who had the most ample machinery for the purpose—they emanated from persons in all parts of England who never could be affected by the Resolution. The great masses of the working classes, agricultural and manufacturing, throughout the country, must be indifferent to the opening of museums and galleries which they could never hope to see. It was not a practical question coming home to them, and they took no trouble in the matter. It was not a practical question either to the upper class, who could go to these galleries every day of the week; it did not come home to them, and they took no trouble about it; but the opposition came from congregations who sought to enforce their religious views on the consciences of others who entirely differed from them. He (Mr. Gregory) repudiated in the strongest terms this assumed right of one man to subject others to burdens and annoyances and restrictions on account of his conscientious and religious scruples. Nay more than this—in his opinion the views of the persons in the only places where these galleries would be found, that is Dublin and London, ought mainly if not chiefly, to be considered. It was clear that in Dublin the feeling was universal. He (Mr. Gregory) believed that if the feeling in London could be ascertained, there would be a large preponderance of the classes for whom the privilege was intended in its favour. But they should bear in mind that the advocates of the measure were poor men, disunited, and entirely without the necessary machinery for getting up the steam. But the numerous Petitions presented from London were a proof of the strong feeling entertained, and even if the petitioners were in a minority still their wishes should prevail. The House of Commons had recognized that feeling by refusing the Permissive Bill and by not allowing a clearly ascertained and *bonâ fide* majority to interfere with the wishes and comforts of a minority, even in a case where unquestionably the closing of public-houses would be a social advantage. Now, if this were some new proposition, some positive infringement of principle for the first time, he (Mr. Gregory) could understand the argument of the shock to the national conscience. But the national conscience must be a very extraordinary and elastic piece of composition if it be shocked at the opening of the Picture Gallery at Trafalgar Square on a Sunday, and be in quiescence at the opening of the Picture Galleries at Hampton Court on the same day. It seemed to resolve itself to this—Put the poor artizan to as much expense and trouble as you can, and he may enter a national picture gallery on a Sunday—that is no national sin—give facilities to him and to his poor over-worked wife and children to enjoy the works of nature and of man on a Sunday afternoon—a wet Sunday perhaps, when otherwise he would not stir from his confined abode—let him be subjected neither to expense nor to inconvenience, and at once you incur the guilt of a transgression, of what some very good people chose to call, the Divine will. As Bishop Butler somewhere says—"We make uncommonly free with God's name on far too many occasions." What nonsense it was to talk of the Saturday half-holiday as sufficient! Hundreds of working men had said to him it was a cruel mockery, and so was week-day evening opening. He had not long since met two men in the National Gallery between twelve and one at dinner-hour in their working dress. They asked him where the Spanish pictures were, and said they had seen some notice about them in some newspaper, and they had just run in for a minute to have a look. They expressed a great anxiety to have the galleries opened on Sunday. He (Mr. Gregory) asked if they could not visit them on Saturday afternoons. They said it was impossible—they had to go home and clean themselves—they were weary after the week's work—they would wish to take the old woman and children with them—the very expression employed—but that could not be done, as she had to tidy at home, to pay bills, and to get things ready for Sunday. In short, Saturday was to them a useless privilege. But the experiment has been actually tried, and it had failed. Sir Dominick Corrigan, in his evidence before the Science and Art Commission in Dublin, last year, stated that they had opened the Zoological Gardens, near Dublin, at 1*d.* admission, after five o'clock, but the people did not come; they then abolished the 1*d.* admission on week days, and established it on Sundays, and now they had on Sundays 5,000 or 6,000 people constantly in the Gardens. He said that there had been no misbehaviour; it brought the people, with their wives and children, to these Gardens, and weaned them from the public-houses, and that the strong feeling which originally prevailed against these Sunday openings had practically disappeared. Well, but say our opponents, — "We must draw the line somewhere, and as we have a line drawn we must stick to it, or the next thing will be a demand for the opening of theatres and casinos." He (Mr. Gregory) perfectly agreed in this—that a line should be drawn somewhere, as hard and as fast a line as they could wish, only let it be logical and consistent. Do not draw a line opening picture galleries at Hampton Court, and closing them at Trafalgar Square. Say distinctly—"We will open those places of recreation which are universally acknowledged to be innocent and profitable on week days." As for theatres and casinos, no one would more distinctly oppose them than himself, and such were the universal sentiments of those who were working with him. Dublin had relaxed the severity of its Sunday, and nowhere was Sunday better observed than in Ireland. This relaxation had not produced the smallest movement in favour of the opening of theatres. The idea had never even been hinted at. The working classes in London who advocated this relaxation were not influenced by any notion of weakening the reverence for a due observance of the Seventh Day. They had no wish to secularize it, or to infringe upon its rest. They abominated the idea of its becoming a day of work. Their fixed belief was, that this addition of innocent recreation to rest from toil would make the Sunday more dear and highly prized than it ever was before. A Memorial from the Sunday League, which was presented some time ago to the Prime Minister, gave unequivocal testimony to this effect. It stated that they regarded Sunday as one of the greatest blessings to the middle and working classes; and, so far from advocating anything that would lead to its desecration, they were only anxious that, on that day of devotion, they should also have some means of innocent enjoyment, and that as they claimed for themselves full liberty of conscience and action, they honoured and respected the devotional observance of others. They altogether objected to the introduction of labour on the Sunday; but they asserted that, owing to the present absence of all recreation, large numbers in certain trades were accustomed to work on Sundays, in order that they might make holiday at other times. This was corroborated by a Petition he was about to present, signed by fifty shoemakers, who stated that they worked during Sundays because they had no means of innocent enjoyment, and preferred to work at home rather than to go to the gin palace. If his Resolution were carried, so far from its weakening religious feeling, or diminishing the reverence and attachment to the Sunday, which was undoubtedly a strong English instinct, it would have a totally different effect. He believed that the success of his Resolution would carry with it attachment to a reverence for the Sunday among the working classes who thought and read. He believed it would bring thought and reflection to numbers who never thought or reflected before. He believed it would bring many to religion whom the ministrations of any Church had never reached. It would restore respect for religion among thousands who now hated the very name, and held aloof with suspicion from its ministers, because they believed that they, under the name of religion, were depriving them of enjoyments for which they were taxed and which they had a right to—and how could it be otherwise? Could the present system conduce to love or reverence for the Sunday in the minds of the working classes of London—for all his observations were now confined to London? Let them picture to themselves the Sunday afternoon of the rich, and the Sunday afternoon of the poor—pleasure, liberty, for the one; listlessness, apathy—in too many cases drunkenness—for the other. Let them conceive the feelings of the poor hard-worked artizan. He goes to the Regent's Park on Sunday—he sees the road blocked up with carriages and horses—he sees thousands of well-dressed persons flaunting and flirting, and enjoying themselves in the Zoological Gardens. He knows that the ground of the Zoological Gardens was let by the Government, and the Government could close them on Sunday if it pleased; but there was no sin in letting them be kept open for the rich. He goes through St. James' Street and Pall Mall, he sees the clubs open and thronged, and the tables spread, with everything that wealth can command—Sunday was a pleasant day in these places and to these folks. He sees those who have money and carriages, careless and gay, going off to Hampton Court to walk through galleries and gardens, which the State keeps up for those who are able to get to them. There was no sin in this. He asks to be permitted to enter similar galleries in London—then at once he is told that to give him that permission would be a violation of the national conscience and an offence in the eyes of God. Now, he asked those who refused to grant these poor people some few short hours of innocent recreation—some few glimpses of beauty, some few faint beams of high and pure enjoyment after that dismal round of drudgery and care which they had gone through during the week—whether such a course could inspire anything else, more especially after this debate, than a deep feeling of resentment and even hatred to religion? Compare, for a moment, the Sunday of the country, and the Sunday of the town. With the one, the afternoon walk, green fields, wild flowers, singing birds, pure air and clear skies. With the other, hot deserted streets, brawling crowded alleys, ribaldry and oaths, or else, close confined ill-ventilated rooms and the gin palace as the refuge and recreation. You cannot give the pure air, and the green fields and the clear sky; but the little alleviation you can give you refuse, and in doing so you invoke the name of God whose most glorious attributes in the hearts of Christian men are mercy and beneficence. He asked the aid of Her Majesty's Government on this occasion; they knew well enough that the real feeling of the House was with him, and that were this Resolution tested by the ballot, it would be carried by an immense majority. Nothing would be easier than for the Government to declare that they would place certain specified museums and galleries in London on the same footing as the galleries in Hampton Court. The Government faced quite as great a clamour once before in Dublin, and such had been the good effects that the clamour had long since died away. The forms of the House prevented him from going to a division, or he should have felt himself bound to ascertain whether a Reformed House of Commons would declare in favour of maintaining a course of legislation which, while permitting to the rich every kind of enjoyment and improvement on the Sunday, denied to the hard-worked mechanics in the capital of England the only chance they ever could enjoy of raising their thoughts above the level of their daily toil, and of becoming better and nobler by that nobility of thought, which the famous works of men and the wondrous works of God conferred on those who sought to penetrate their meaning.

Mr. W. S. ALLEN: * Sir, I regret exceedingly that the forms of the House do not permit me to move the Amendment which stands in my name, and that the hon. Member for Galway is not able to divide the House on this occasion; because I believe, if it had been in his power to have done so, his Motion would have been negatived by a large and decisive majority. It is worthy of remark that this Motion has already been presented to the House in three different forms; as it was first put on the Notice Paper, it proposed to "open all Museums and Galleries supported by the State, after Morning Service on Sundays"; as it was put on the Notice Paper the second time, it proposed to open those supported by the State in England and Ireland—the hon. Member for Galway no doubt feeling a wholesome fear of Scotch Members on a question like the present; and as it now, in its third form, stands on the Notice Paper, it proposes to open the British, the South Kensington, and the Jermyn Street Museums and the National Gallery on Sunday afternoons; but the principle in each case has been the same, and it is to that principle that I, and those who act with me in this House, and, as we believe, millions out-of-doors are decidedly opposed. It may be in the recollection of many hon. Members that it is now some thirteen years ago since a similar Resolution was submitted to the House by Sir Joshua Walmsley, and when the division took place on that occasion the numbers were 376 against the Motion, and 48 for it. Now, I do not think I am stating too much when I say that the division which then took place thoroughly represented the general feeling of the people of this country, and what I am prepared to maintain is, that since that time there has been no material change in the opinion of the people, except it be, that there is now a stronger dislike than ever to the proposal of the hon. Gentleman. I do not argue this question from a strictly Sabbatarian point of view. The hon. Gentleman, however, has quoted Scripture, and, to his quotation, I reply that I take my creed on this subject from the words of One who said—"The Sabbath was made for man, and not man for the Sabbath." The hon. Gentleman has brought forward the opinions of many eminent men who, he states are in favour of his Motion. In reply to that I can simply say that there are very many more eminent men in favour of the other side of the question. And, although they may differ on some points, the common consent of Christianity at all times has pretty well agreed in this view of the case, that one day in seven should be set apart as a day of rest and devotion. Now, what were the arguments of the hon. Member in favor of his proposal? He says that there are no placef of recreation, except public-houses, open to the working classes on Sundays, and he has quoted the opinion of the Rev. Newman Hall on this subject—"that he would rather open museums than public-houses on Sunday." His argument may be a very good one in favour of shutting-up public-houses altogether on the Lord's Day, and thereby putting an end to the temptation which they offer, but I submit it is a very poor argument for opening the National Gallery and British Museum on Sundays as well. I firmly believe that if the Bill of the hon. Member for Chichester had passed into law last year, it would have been one of the greatest benefits ever conferred upon the working classes of this country—but I deny that we have any right to charge the drunkenness, misery, and crime at present existing to the fact that the British Museum and National Gallery are not open on Sunday afternoon, because these things are rather due to our own legislation in permitting public-houses to be open during so long a period on the Sabbath. Then the hon. Member said if we could but tempt men away from public-houses they would not get drunk, but would go to these museums instead. I grant you they would visit these places, but would they not require refreshments after they came out of them? I think there can be no question that if you were to open these places on Sundays a fresh crop of public-houses and gin palaces would spring up in their immediate neighbourhood, so that instead of mitigating the evils of of which we at present complain, you would only increase them. The hon. Member has also brought forward, in a new dress, the old argument that you cannot make people religious by Act of Parliament, or, as he called it—"employing the secular arm in propagating religion," and I quite agree with him; but, while I frankly admit the folly of attempting to make men religious by Acts of Parliament, I equally assert the folly of holding out inducements to irreligion by the legislation of this House. It is one thing for the law to say to a man—if you do not go to Church you shall be punished; but it is quite a different thing for it to say to him—because you do not go, we will offer you additional inducements to stay away. His notion of religion seems to be somewhat peculiar. He stated that in his opinion every man should worship in the morning, and devote the afternoon to recreation. I object altogether to that view of the case. His notion of Sunday observance seems to be that a working man ought to deal with it just as if it were his Sunday coat; to put it on when he gets up in the morning, and to wear it only until half-past twelve o'clock, and then to put it off; in short to get rid of it as soon as he can. I object to that view altogether; because if there exists any obligation to observe the Sabbath at all, that obligation exists during the whole of the day, and not merely during a portion of it. Then it is said that we desire to make Sunday a day of gloom and melancholy, and an eminent comedian—Mr. Buckstone—has kindly told us "our object is to made everybody as miserable as possible on one day in the week." I entirely deny that assertion of Mr. Buckstone's. I deny that we do make men, or wish to make them miserable, and I would ask if he gravely means to assert that the only day of the week on which a man can rest from his toil, and spend with his wife and family in the enjoyment of that home and social life, which is the glory of this country, is actually to be considered a day of gloom and misery, even though the National Gallery and British Museum are not open? I am quite aware that there are many men—thousands, nay, tens of thousands—who do not value the Sabbath, and the privilege of spending one day in seven with their families in the enjoyment of those domestic joys and comforts, which the vast majority of the working classes of this country do value and do prize; but I utterly deny that because there are men so worthless that the purest and holiest joys a merciful Providence has given to man have no charm for them, they have any right to charge us with wishing to make the Lord's Day a day of gloom and melancholy, when they have no one to blame for it but themselves. Now, one very strong argument against this proposal is that the general sense and feeling of the people of this country is against it. The hon. Member may doubt the fact—he is quite justified in doing so—but I can appeal, and I do so with confidence, to the number of Petitions which have been presented to this House against this Motion, and Petitions signed by nearly thirteen times as many as those in favour of his Motion. Now, the hon. Gentleman has said that these Petitions are not to be attended to, because they come chiefly from Dissenting congregations. Well, sir, I have yet to learn that either Dissenting ministers or their congregations are to be held up to scorn and ridicule in this House, because they have thought it right and proper to sign Petitions against a certain proposal. I should have thought that the presence of my hon. Friend the Member for Hackney (Mr. Charles Reed), and my hon. Friend the Member for Lambeth (Mr. M'Arthur) who are both members of distinguished Dissenting congregations, would have shielded the Dissenters of this country from the hon. Gentleman's reproaches. And I would ask from what better source could these Petitions have come? Surely Dissenting ministers who devote their time to the moral and religious instruction of the people of this country, and their congregations ought to know something about this question, and their views ought, at any rate be worth listening to. I must say it is rather a suspicious circumstance that instead of this Motion being brought forward by a metropolitan Member, or by an English borough Member, urged on to it by his constituents, it has been introduced by a Gentleman from one of the most remote constituencies in the United Kingdom—from the neighbourhood of that "melancholy ocean" to which the right hon. Gentleman from Buckinghamshire referred, and where the wants and requirements of the people of this great city seemed to be better known than they are here. I do not deny the hon. Gentleman's right to bring forward this Motion; but I do say it is a circumstance full of suspicion that the National Sunday League have had to get the hon. Member for Galway to advocate their cause in this House. If there had been any very general desire in this metropolis to have these institutions opened, there would have been plenty of metropolitan Members ready to take the matter up, but they have not done so. Another argument is—that I believe this is an attempt to get the thin end of the wedge in. Although the hon. Gentleman expressed himself as averse to a Continental Sunday, yet I believe the adoption of his proposal would be the first step towards the introduction of such a Sunday in this country. If this House concedes the principle, that it is right that museums and galleries, supported by the State should be opened on Sunday afternoons, I want to know where you are to stop? If you once say that the National Gallery shall be open on Sunday, what possible argument can you urge why the Royal Academy, and the Society of British Artists, &c., should not be open. If it is right to look at the works of ancient masters, why should it not be right to look at those of the modern masters as well? If you open your public institutions and places of amusement on the Lord's day, how can you refuse the same right to private individuals to open theirs; and if you open your museums and picture galleries, and other public and private places of amusement on Sunday afternoons why should you refuse to open your theatres and music halls at night? The hon. Gentleman says very truly that in Dublin there is no desire that the theatre and the Casino should be opened on the Sunday evening. But how do we know that there will not be such a desire in London? How do we know, if this Motion had been agreed to, that there would not have been a demand that theatres, and music halls, and the Alhambra and other like places should be opened on Sunday evening? And why should there not? If it is right to open the National Gallery and the Royal Academy on a Sunday afternoon, why should it be wrong to go in the evening to the theatre or the Alhambra? The simple fact is, and no persons know it better than the members of the National Sunday League, if you once begin you cannot stop; if you once concede the principle that it is right to open any place of amusement—apply to it whatever name you like, museum, theatre, or gallery—you must extend it to all. Then, Sir, there is another argument which the hon. Member passed over very lightly indeed, but which to my mind, is a very important one. It is that by opening these museums and galleries you will create an absolute necessity for a certain amount of Sunday labour. You will compel the employes at these places to work seven days instead of working six as they do at present. I fully grant that at first this evil would not be very great; but if, as I believe, the inevitable consequence of this motion would be that other places of amusement would likewise be opened, you would very soon deprive hundreds of the only day of rest they now enjoy; and this would not only apply to London alone, because if it be right that museums and galleries and other places of amusement should be open in London, it cannot be wrong that they should be open also in Manchester, Liverpool, Birmingham, and other large towns; so that in a very short time, in the space of a few years at most, I believe the inevitable result of this Motion would be that in the large towns of this country you would deprive thousands of the rest they now enjoy on the Sabbath. But this would not be all. There are hundreds of unscrupulous masters in this country who would say to their workmen—"If it is right that you should go to places of amusement on the Lord's day, it is right that you should work for us;" and if some masters did this, others would do it, declaring that they were compelled to do so by the competition that was created; and the consequence would be that, in a very short time, you would bring upon the working classes of this country the greatest curse and the greatest calamity that could happen to them—the loss of their weekly day of rest. The hon. Member says this question ought not to be argued from a religious point of view. Perhaps he will allow me to say a few words as to the advantages of the Sabbath in a secular point of view; and I may say that although those advantages are great to all, yet they are far greater to the poor man than they are to the rich. The rich man can take a holiday whenever he likes. He can go to the sea-side for a week, or a month, or whatever period he chooses; but the poor man cannot do that, and the consequence is that the rest of the Sabbath is to him a thing of priceless value. It is also an admitted fact that continuous bodily or mental labour, uninterrupted and unbroken by the rest of the Sabbath, leads to premature decay. It is also an admitted fact that men can do more work in six days in the course of the year than they can by working seven. And with these facts meeting us on the very threshold of the question, I think we should be blind and foolish indeed if we attempted to pass a Motion like this, when the inevitable result would be to deprive the working men of this country, sooner or later of their weekly day of rest. May I allude for one moment to the religious aspect of the question. I myself see no reason why a question, which is so intimately connected with the subject of religion should not be argued from a religious point of view. And I confess I have not much opinion of the wisdom of any man who would make light of and despise the influence of religion on the minds of men, or the importance of devoting one day in seven to the consideration of its paramount importance. And what we ask is this—We ask that a day which we believe has been set apart from the creation of the world by the Creator for His service and worship, that a day which the Redeemer recognized when He visited this world, that a day, which the common consent of Christianity at all times, has specially set apart for rest and devotion, should be preserved intact and unbroken for those great purposes for which it was instituted. It is all very well to tell us that thousands and tens of thousands will not go to church or chapel. We frankly admit it; we do not deny it: but then we say, do not offer them additional inducements to stay away—and do not insult the religious feeling of the country by placing the British Museum and the National Gallery in open competition with the House of God. Sir, I need not appeal to the House to reject this Motion, because we cannot go to a division upon it; but of one thing I am confident, if we had been enabled to divide, this Motion would have been rejected, as I trust similar Motions always will be, by a large and decisive majority.

Mr. M'ARTHUR said, he had no hesitation in saying that the feeling of the large majority of working men in the borough of Lambeth—which he regarded as a very good test of the feeling of the humbler classes throughout London—was decidedly opposed to the Motion of the hon. Gentleman (Mr. W. H. Gregory). The Petitions presented to the House on the subject up to Saturday last were in the following proportions — eighty-seven Petitions with 10,436 signatures, in favour of the Motion; and 685 Petitions, with 130,976 signatures attached, against the Motion. When the hon. Gentleman stated that the working classes were unable on week-days to visit places of amusement or instruction, it was necessary to recall the fact that in 1865 upwards of 200,000 persons visited the Agricultural Hall, and that 124,000 visited the South London Industrial Exhibition upon week-days. The South Kensington Museum had been visited by upwards of 3,000,000 people upon week-days, although the position was by no means central; and at the recent exhibition in Lambeth 42,000 persons paid 2*d.* each to see, upon the evenings of week-days, what had been contributed. A strong proof of the importance attached by working men to the rest of the Sabbath was afforded by the fact that when, some time back, three prizes were offered for the best composition on the subject, no less than 1,045 essays were sent in by working men in the short space of three weeks. In the words of one of the working men themselves, Sunday was "Heaven's antidote to the curse of labour." If the Continental example were once adopted, were we to have races in the vicinity of the city? He contended that the question was a religious one. The Fourth Commandment still existed as a part of our moral law. The law respecting the Sabbath had not been abrogated, and he believed that the two greatest nations of the world, England and the United States, owed not a little of their unrivalled prosperity to their observance of the Sunday.

Mr. T. CHAMBERS said, he regretted than no division could be come to upon the Resolution, for had it been possible to divide, he was assured that on this, as on previous occasions, a majority of the House would have been in favour of preserving the sanctity of the Christian Sabbath. It was unreasonable of the hon. Member for Galway (Mr. W. H. Gregory) to say that he would not treat that as a religious question; and he had been unable to carry out his intention, for his speech had been filled with allusions to religious arguments and attempts to meet them. The hon. Member had said that a majority of the working men in this metropolis were in favour of his proposal. He (Mr. T. Chambers) had better means of information on that point than the hon. Member, and he honestly believed that the overwhelming majority was on the other side. In the course of his canvass of the borough of Marylebone last autumn, he had attended more than 100 public meetings; and at all of them the question — whether he would vote for opening the public galleries on Sunday was asked either by friend or foe? He said, "No;" and he did not recollect any occasion on which his answer was not received with all but unanimous applause. The hon. Gentleman had alluded to the Petition with 47,000 signatures, which he proposed to present, and which he (Mr. T. Chambers) supposed would be presented on Monday evening. If that Petition had been presented, however, that evening, he should have had to present another Petition from the Working Men's Lord's-day Rest Association, praying that a scrutiny might take place, as to the genuineness of the signatures to the Petition of the Sunday League; and in support of the grounds on which that scrutiny was asked, he held in his hand a statement signed by George Henry Beck, of 13, Took's Court, Chancery Lane, and Frederick Biggs, of the same place, in which Beck declared that he had been employed for the last six weeks in obtaining signatures to the Petition brought into the House by the hon. Member for Galway, and that he had himself affixed to it upwards of 800 fictitious signatures; and Biggs declared that he had affixed 200 fictitious signatures to the same Petition, and that for the last twelve days, from twelve to twenty persons had been engaged at 13, Took's Court, in filling in fictitious signatures to the sheets. That would show that, as the hon. Member for Galway had himself said, Petitions were not always of much importance. So much for the feeling of the working men of the metropolis on this question. It had been represented to the First Lord of the Treasury, at a deputation, that he (Mr. T. Chambers) had modified his opinion on the matter in the course of his canvass. This was untrue. He had invariably answered, "No," when asked whether he would support the proposition for opening the public galleries on Sunday? The hon. Member for Galway contended that the museums and galleries should be open as places of education; that they would counteract the influence of public-houses, and raise the people from their brutalized and degraded state. Now, he had lately met with an answer to that argument, in a place where he little expected to find it. In a late number of the *Westminster Review,* in an article on the connection between the study and practice and enjoyment of art with morality in a community, the writer contended that the artistic emotions were quite distinct from the moral emotions, and that between art and morality there was no coherence. He pointed out that great artistic epochs had been immoral epochs; and he contended that while a community might and ought to be preached at and lectured by the philosopher and the minister of religion, it was not for the artist to take upon him that duty—his object was to gratify and gladden, without any afterthought. This was written by a great authority on the subject—

Notice taken, that 40 Members were not present: House counted: and 40 Members being found present—

MR. T. CHAMBERS resumed. He would not detain the House long; but he wished to state that within the last few years there had been a great effort made, and not without success, to introduce the English Sabbath upon the Continent. In Germany, out of fifty-eight newspapers that used to be published every day in the week, forty-three had ceased to publish on Sunday since last autumn. In Paris, the public journals were advocating a cessation of the Sunday issue, and the vast majority of retail shops were now closed on Sunday; so that, by adopting the Resolution of the hon. Member they would be going in the teeth of the movement that was going on on the Continent. He was satisfied that if a Bill were ordered to be brought in, the Government draftsman would never be able to define what was a place of amusement and what was not. He was glad, therefore, that Government had made up their mind to resist such a measure, and he wished they were equally firm on the temperance question. On both subjects, he believed, the Government was behind the working men of the country.

MR. BAINES said, his hon. Friend the Member for Galway (Mr. W. H. Gregory) had, no doubt, unintentionally, represented the Rev. Newman Hall as having expressed an opinion favourable to the opening of museums and galleries on Sundays; which was quite a mistake.

MR. W. H. GREGORY said, that his statement was, that the Rev. Newman Hall had said that he would prefer museums and galleries to be open and public-houses closed on Sundays, to seeing public-houses open and museums and galleries closed.

Mr. BAINES said, he would read a couple of answers given by the Rev. Newman Hall before the Committee which sat upon this question, and of which he (Mr. Baines) was a Member. In the first, Mr. Hall said that he did not think the opening of these places on Sunday would be advantageous to the public. He thought the Saturday half-holiday was a great boon, but the more the Sunday was kept as a day of rest and worship, the better it would be for the people, in a political, social, and religious point of view, though he would not have legislative action to compel persons to keep it religiously, or prevent them from enjoying it as they pleased. Mr. Hall was asked by another hon. Member of the Committee a question somewhat similar to that which he had been asked by a former hon. Member. His reply was, that the opening of the Crystal Palace, and other such places on the Sunday would be in itself an evil, and would only create additional evil — certainly not so great an evil as the first — that from the opening of the public-houses; and, though it might, in some degree, diminish the first, yet it would not remove it.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Eight o'clock till Monday next.

HOUSE OF LORDS,

Monday, 7th June, 1869.

MINUTES.]—Public Bills—*Second Reading*—Metropolitan Commons Supplemental * (35). *Report*—Parochial Schools (Scotland) (119).

THE IRISH CHURCH BILL.—PETITION

The Earl of DEVON, on presenting a Petition of the Clergy, &c., of the Archdeaconry of Exeter against the Irish Church Bill said, it would be disingenuous in me if I did not explain that I cannot agree with the prayer of the Petition. To some portions of the Bill I entertain strong objections, while with others I agree; but I am firmly convinced that it would be a matter of very serious public misfortune if your Lordships should refuse to give a second reading to the Bill, and should thereby place yourselves in such a position that you could not make such Amendments in it as may be necessary. I think it right, in presenting the Petition, to guard myself against being supposed to concur in it.

BISHOPS OF PROTESTANT CHURCHES —ECCLESIASTICAL TITLES ACT.,

QUESTION.

Lord COLCHESTER wished to ask the noble Earl the Secretary of State for the Colonies, If it be the intention of Her Majesty's Government to propose any measure for the exemption in future of Bishops of a free Protestant Church from the Penalties of the Ecclesiastical Titles Act? On the supposition that the Irish Church Bill became law he presumed there would be a cessation of all appointments to bishoprics in Ireland; and it was therefore important to know what, supposing that to be the case, would be the status of Irish Protestant Bishops not appointed by Her Majesty. In the Ecclesiastical Titles Act there was a clause specially exempting the bishops of the Scotch Episcopal Church; and, though some persons he was aware, regarded this clause as unnecessary, its insertion showed that great doubt existed in the matter, and he feared that the Bishops of a free Church in Ireland would be subject to the pains and penalties of the Act. Now, it was obvious that, whether established or disestablished, the Protestant Church there must preserve its organization and dignitaries, including Bishops with territorial titles, and therefore a similar provision to that with regard to the Episcopal Church of Scotland ought to be introduced. It was true that the Act had never been enforced against Roman Catholic Prelates, and that proposals had been made for its repeal; but the majority of the Select Committee of this House, of which he was a Member, reported against such repeal, and he believed it would be distasteful to the great majority of their Lordships. Surely the Government if successful in their Irish Church measure would deem themselves bound not to place its Bishops in a position less favourable than those of the Episcopal Church in Scotland. The Irish Church, it was said, would become a free

Church, untrammelled and unfettered by the State; but it ought not to be saddled with a disability to carry out its proper organization, or, as the only alternative, be obliged to violate the law and disregard the authority of the British Crown, a course painful to all loyal subjects, but especially so to those who, like Irish Episcopalians, had been the main stay through seasons of peril, of that law and that authority.

Earl GRANVILLE concurred with the noble Lord that, in the event of the passing of the Irish Church Bill, some such measure for the protection of Irish Bishops as that suggested by the noble Lord would become necessary.

PAROCHIAL SCHOOLS (SCOTLAND) BILL.

(*The Duke of Argyll.*)

(NO. 96.) REPORT OF AMENDMENTS.

Amendments reported (according to Order).

The Duke of ARGYLL said, he had now to bring before their Lordships the Amendments which he had undertaken to propose on the Report of this Bill. The first related to the constitution of the Central Board. He had framed a clause carrying out the opinion of the House that the Central Board should be nominated instead of being elected. Considering, however, that there existed in Scotland several powerful ecclesiastical bodies who would all keep a jealous watch on the proceedings of the Board, he had not, while giving up the plan of an election of representatives by the different interests, given up the idea that the persons selected by the Crown should be conversant with the interests and feelings of those various bodies. It would be remembered that, on a former occasion, the number three had been fixed upon as the proper number for the nominated Board. Upon further consideration, however, the Government had come to the conclusion that the Crown ought to have more elbow room than this, and that three members were insufficient to represent all the various interests. He therefore proposed that the Board should consist of seven members. The Royal Commissioners had recommended fourteen, and in the original Bill nine was the number proposed; as he was now prepared to reduce that number by two—making the Board to consist of seven—he hoped their Lordships would agree to the Amendment.

The Duke of RICHMOND said, he was surprised at the proposition which had just been made by the noble Duke, because on a former occasion, on an Amendment moved by the Earl of Rosse, the House had expressly decided that the Board should consist of three Commissioners to be nominated by the Crown, and to be paid by the Crown. The noble Duke said that where great interests are at stake, it was necessary that the Crown should have elbow room. Well, he begged to remind the noble Duke that, in a Bill, which would come shortly under the discussion of this House—the Bill for the disestablishment and disendowment of the Irish Church—in which great interests are at stake, the number of Commissioners who were appointed was only three. Surely, if three Commissioners were sufficient to deal with the matter of the Irish Church, it was not too much to say that three would be quite sufficient to carry out the new educational system of Scotland. In addition to departing from the number agreed upon on a former occasion, the noble Duke's Amendment made no mention of the subject of payment, but left that matter to the House of Commons. That being so, he said that this Bill was not at present a perfect one; and he contended that their Lordships ought to have before them the whole of the system by which the Government proposed to carry out the education of Scotland. The noble and learned Lord (Lord Colonsay) was about to move an Amendment that the number of Commissioners should only be three, and that they should be paid by the Crown. If the noble Duke declined to acquiesce in that proposal, he (the Duke of Richmond) would have seriously to consider whether he should not ask their Lordships to reject the Bill altogether on the third reading. He did not oppose the Bill going into Committee, because he thought Amendments might be made in it and to some extent that had been done; but if the noble Duke now sought to depart from what had been previously agreed upon, he repeated that he should have to consider whether he ought not to ask their Lordships to reject the Bill altogether.

The Earl of AIRLIE said, when the question was last under discussion his impression certainly was that the num- of Commissioners was to be three only, and his own opinion was that that number would be much better than seven. In constituting the Board in the manner now sought, they were endeavouring to combine functions which were inconsistent and incompatible. For instance, he did not think they could combine a representative body with executive functions.

LORD ABINGER expressed surprise at the proposal of the noble Duke (the Duke of Argyll) to revert, in some degree, to the constitution originally proposed, he having on a former occasion stated that this was not one of the essential points of the measure. The great majority of the Petitions which had been presented had objected to that constitution.

LORD COLONSAY contended that a paid Board of three would feel more responsibility and would devote more time and attention to their duties than an unpaid Board of seven. The latter would be likely to attend very irregularly, and only when there was some particular question to be decided, while three were likely to devote their time and attention to the business for which they were paid. This would ensure constant attendance. The smaller body would be able to obtain all the information necessary for dealing with the different interests; especially as the Bill gave to the Board power to appoint assistant Commissioners, who were to be paid.

THE DUKE OF ARGYLL would not put the House to the trouble of a division, as the majority seemed to prefer the smaller number of Commissioners. He had been anxious, however, that the Board should reflect the opinions and feelings of the various bodies interested. As to the Commissioners being paid, the Bill had been introduced into this House partly on his advice in order that their Lordships might not complain of a lack of employment during the earlier part of the Session; but all money clauses would have to be struck out on the Bill going down to the House of Commons. Notwithstanding the threat of the noble Duke, he could not pledge the Government as to the course they would deem it right to pursue on this point. The original proposal was that the chairman and secretary should be paid; and it must be remembered that in bodies of this kind the routine work rested very much with the chairman and secretary, the other members attending only when questions of principle had to be decided. He could not agree with the noble and learned Lord that unpaid members of the Board would be habitually non-attendant; the reverse was proved to be the case in the sittings of the Privy Council.

Amendment *withdrawn.*

Amendment *moved* in line 8 after ("State") to insert—

("One of which three persons shall by the said writing be appointed chairman; and such three persons and their successors shall each receive an adequate salary at a rate to be fixed by the Commissioners of Her Majesty's Treasury, and to be paid out of any moneys voted by Parliament for that purpose.")—(*The Lord Colonsay.*)

LORD COLONSAY, in moving his Amendment, inquired what was the case of the Irish Education Commissioners?

LORD CAIRNS said, there was one paid Commissioner and two very efficient paid secretaries.

THE DUKE OF ARGYLL said, that this was an argument in favour of the proposal of the Bill; for Scotland having only half the population of Ireland, a paid chairman and one paid secretary would be sufficient. There was a Standing Order of the House of Commons that no additional charge should be thrown on the people, except on the initiative of the Government, and he need not point out the importance of this rule for if independent Members were allowed to bring forward such propositions grea confusion would be the consequence. I was surely inexpedient that a powe from which independent Members o the House of Commons were debarre should be assumed by independent Mem bers of the House of Lords, and h hoped, therefore, that the Amendmen would not be pressed.

LORD COLONSAY said, that the que tion which they were discussing was n a money clause in a Bill, but the const tution of a new Board; and if the Hous was of opinion that it should be const tuted in the manner proposed—namel by a Board composed of three paid mem bers, surely it was in their power to s so. He would, however, with the lea of the House, strike out of the propos Amendment all the words after the wo "salary."

THE EARL OF AIRLIE was very mu surprised to hear a statement of th kind coming from that side of the Hous

There was a very distinctive feature between the Constitution of this country and that of the United States. It is well known that in England Votes of money could only be initiated by a Minister of the Crown and in the House of Commons, and anybody who had taken any interest in the discussions of the American Legislature must know that it was very much deplored by many eminent men in America that a power of initiating Money Bills by independent Member of Congress should exist. He was very much concerned to hear that it was proposed by any Member of their Lordships' House to initiate a system of the payment of public functionaries, by the insertion of such an Amendment as that proposed.

THE DUKE OF RICHMOND did not see that the Amendment tended to Americanize our institutions, nor did he see anything unconstitutional in it. The Amendment simply asserted their Lordships' opinion that the Board should consist of three Commissioners and that they should be paid. If the mere wording was objectionable it could be altered.

EARL GRANVILLE thought that if the clause was left out after the word "members" it might perhaps be in Order; but what was really proposed was to bind the Treasury to pay them, which he thought would be unconstitutional.

THE DUKE OF RICHMOND said, that they had no wish whatever to pass an unconstitutional clause; but what they wanted was that there should be a paid Board, and they had a perfect right to insert such an Amendment.

EARL GRANVILLE doubted whether it could be constitutionally put.

LORD CAIRNS said, in regard to Bills originating in their House the understood practice of their Lordships was either to strike out on the third reading any money clauses, or to print them in red ink. When they went down to the House of Commons such clauses were not regarded as part of the Bill but merely as an expression of opinion on the part of their Lordships' House. He would remind their Lordships that in the House of Commons private Members had a right to move money Amendments to money clauses.

THE DUKE OF RICHMOND suggested that the words "and to be paid out of any moneys voted by Parliament for that purpose" should be omitted. There could be nothing unconstitutional in voting that the Commissioners should be paid salaries "at a rate to be fixed by the Commissioners of Her Majesty's Treasury."

VISCOUNT HALIFAX pointed out that this would not obviate the objection, since the Commissioners of the Treasury could only make payments out of moneys voted by Parliament.

LORD REDESDALE said, that unless their Lordships had some power of this kind they would be incapable of considering any Bill of this nature. If it was the opinion of the House that it was right that the gentlemen who were to constitute the Board ought to be paid, surely they had a right to say so; and if, on the other hand, the Commons thought they ought not to be paid, the Bill would come back to their Lordships' House without such a provision for their payment. At any rate there was no reason whatever why the insertion of such a provision should induce them to negative the Amendment here. It was quite right that the Bill should go down to the other House with a suggestion or opinion that the Commissioners should be paid; if they thought they should not they would strike out the provision.

THE LORD CHANCELLOR said, that when the Bankruptcy Bills were introduced in their Lordships' House the money clauses were not inserted. But it seemed to him that the real objection to the Amendment lay in the words that the salaries should be paid at a rate to be fixed by the Treasury. He thought such a power had never been given in an Act of Parliament before.

LORD CHELMSFORD suggested that the Amendment should stop at the word "salary."

LORD COLONSAY accepted the suggestion.

Then the Amendment *moved* as follows:—

("One of which three persons shall by the said writing be appointed chairman; and such three persons and their successors shall each receive an adequate salary.")—(*The Lord Colonsay.*)

On Question?—Their Lordships *divided*:—Contents 84; Not-Contents 49; Majority 35.

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Resolved in the *Affirmative.*

Clause 18 (Manner of passing Resolution for conversion of old or adopted schools into new national schools).

Lord ABINGER proposed an Amendment, the effect of which would be in cases where a Resolution for conversion should have been adopted, as provided by Clauses 16 and 17, to take from the heritors and minister the option of converting the "old schools" into "new national schools," and making it compulsory on the Board to do so; leaving it still to the option of the trustees and managers in the case of "adopted schools."

Amendment *moved* in line 11, to leave out ("it shall be lawful for the said heritors and minister") and insert—

("the Board shall in the case of all old national schools be bound to convert the same, and in the case of all adopted schools it shall be lawful.")—(*The Lord Abinger.*)

The Duke of ARGYLL said, all the other Amendments proposed on the other side went in another direction to this. They had all been intended to throw impediments in the way of conversion of schools into the national system; but this Amendment would facilitate conversion. If noble Lords opposite approved of it he would not object.

Amendment *agreed to.*

Clause 28 (Election of school committee in landward parishes).

The Duke of ARGYLL said, they now came to a clause to which he desired to invite the serious attention of noble Lords opposite. He was afraid the House did not fully understand the nature of the Amendment which had been carried in Committee; but he could state, from the communications he had received from various parts of Scotland, that great importance was attached to the question. The House was aware that what he might call the Liberal party of education in Scotland—and that party included many persons who were not Liberals in politics—contended that the existing national schools being founded on statute and supported by rates—which rates the heritors might levy, though they did not generally do so, on their tenants — that these national schools should be at once, and before all others, brought under the new system of management. That was the great aim of the Liberal party in Scotland, and it was impossible to deny that there was much force in their arguments. The national schools were supported by rates, which might be, and in some cases were —though he admitted not usually— levied upon the tenants; but there was not a fraction of power in their management committed to the hands of the tenants—it was exclusively in the hands of the large proprietors. But the feeling in favour of the existing national schools was so strong that the Commissioners had suggested a compromise, which he (the Duke of Argyll) was endeavouring by these clauses to carry into effect. The compromise was, that while there should be no change in the management of the national schools, unless with the consent of the heritors, on the other hand it was provided that, wherever a school was directed to be erected, or where a denominational school was adopted and thrown upon the rates, the local committee should be of a popular composition, and it was proposed that the proprietors should elect one-half the committee and the occupiers the other half. This, he thought, was a fair compromise, and he urged upon the House in Committee not to oppose it. An Amendment was carried, however, by which it was provided that the committees of management should be elected one-half by the heritors, and the other half by the rate-payers. Now, he submitted to the House that this was not giving due and fair weight to the popular influence. It was absolutely essential that there should be a larger representation of the popular voice in the committees—especially in the case of schools connected with Dissenting Churches, who would not willingly allow their schools to be placed practically under the management of the landed proprietors of the country. By the clause, as it now stood, all the national schools now in the country, and three-fourths of the other schools, would be practically under the management of the landed proprietors. Now, what would the effect of that be upon the election of schoolmasters? It was eight years since by law the office of schoolmasters in the national schools was thrown open to Dissenters, Free Churchmen, and others; and yet there was hardly a single instance in which a Dissenter had been elected. Now, where they had to deal with a large number of schools erected by Dissenters at their own expense, it was not to be expected that they would allow their schools to be thrown under the management of men who certainly had not been disposed to admit them to a fair share of power. The Royal Commissioners had paid greater attention to the subject than it was possible their Lordships could have done since the Bill had been before the House, and he, therefore, urged upon their Lordships to accept their suggestion. He had prepared a clause which made provision for these several objects. He would now propose that, instead of the clause as it was amended in Committee, it should be provided that half the School Committee be elected by the rate-payers, one-quarter by the heritors, and one-quarter by small proprietors who were not heritors; with the understanding that the last two classes might vote in other proportions than one-quarter each, but so that they should never elect more than one-half between them. The noble Duke then moved the first section of the proposed clause.

Amendment *moved* to leave out Clause 28, and insert the following clause:—

(In landward parishes board to fix number of school committee and day of election.)

"In every landward parish in which it shall have been duly resolved to establish a new national school (and in which there is no existing school committee), the board shall forthwith intimate such resolution to the sheriff of the county within which such parish is situated, and issue an order fixing the number of members of the school committee of such parish, which shall be four, six, or eight, to be elected as herein-after mentioned, and also fixing the day on which the list herein-after mentioned shall be annually completed, and the day of such election; and such order may be rescinded or varied from time to time by the board, and shall be advertised in such manner as the board shall direct."—(*The Duke of Argyll.*)

LORD COLONSAY said, the propositions of the Royal Commission were not unanimously adopted, and the Bill did not profess to be in all respects founded on their recommendations. The object of the Committee in altering this clause was to provide that the schools should be under the management of persons of more enlarged views on the subject of education, and who would, in all probability, select a better schoolmaster than the committees provided for in the Bill. It was therefore agreed that the heritors as defined in the Interpretation Clause of the Bill should elect one-half, of the School Committee and rate-payers who were not heritors the other half. The proposal now made by the noble Duke was really to revert to the proposition originally made in the Bill, and which the House when the Bill was in Committee had already rejected, which was that all proprietors without reference to value should elect one half of the School Committee and the occupiers the other half. The proposal now made was that proprietors of lands and heritages of a value exceeding £100, and proprietors under that value being rate-payers, should elect one half-the committee and the rate-payers the other half, with a power to the Board to divide the proprietors into two classes and to give to each class a certain share of the elections of the one half of the School Committee. That was a power impossible to be exercised, and useless if possible. The objection of the noble Duke was that the clause as it stood put too much power into the hands of the large proprietors; but when he reminded their Lordships that all persons who were on the old valuation roll of a county for the amount of £100 were classed as heritors, it would be seen that that fear was groundless. But if the noble Duke would so far modify his proposed Amendment as to agree that the power of electing one-half of the School Committee should be given to all proprietors rated at £100 according to the valuation for the time being instead of to heritors as defined, he would be disposed to acquiesce in such an arrangement and alteration of the clause.

The Duke of ARGYLL said, the noble and learned Lord argued that the effect of the clause as it stood was to secure on the committees persons of enlarged minds, and their Lordships might think so; but that might not be the opinion of those who were excluded. His great objection to the clause as it stood was that while the large proprietors had the sole management of all the old national schools, they would have two-thirds of the new practically under their management also. The small proprietors were just as anxious for the results of education as the larger proprietors, and he must say he thought it unreasonable that they should not have a proper share in the management.

On Question, That Clause 28 stand part of the Bill?—Their Lordships *divided* :—Contents 73; Not-Contents 45: Majority 28.

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Wrottesley, L.

Resolved in the *Affirmative.*

The Duke of ARGYLL said, the results of the alterations which had been made in the Conscience Clause would be that not only would the denominational schools be kept out of the new arrangement, but they would be supported by double the rate of grant, even where they were not considered to be necessary by the Central Board. He wished attention to be directed to this point, for it was a very serious matter. Some of these classes were exceedingly fanatical. Take the case of the Free Church. In some counties in the North of Scotland, the Free Church clergy had actually excommunicated or threatened to excommunicate persons if they sent their children to the Established schools; yet it would be quite possible that a 3*d.* rate should be levied and a new school established, and that because of this fanatical feeling another school might exist alongside of it; for the Privy Council had power not only to support such a school by a rate grant, as formerly, but by a double rate of grant. The same was the case with the Episcopalians, some of whom were quite as fanatical and extreme as the Free Church. He thought provisions which brought about such a state of things would not receive the sanction of Parliament.

Amendments made: Bill to be read 3^a on *Friday* next; and to be *printed* as amended. (No. 119.)

REPORTS OF THE JUDGES ON ELECTION INQUIRIES—JOINT ADDRESSES.

OBSERVATIONS.

The LORD CHANCELLOR said, the other House had sent up to their Lordships for their concurrence, several Addresses to Her Majesty with reference to certain election inquiries in which the Judges had made special Reports. By the Act 15 & 16 *Vict.* c. 57 (Corrupt Practices at Elections Act) when an Election Committee came to a certain finding, an Address was to be moved in both Houses for the issue of a Commission to inquire into the prevalence of bribery; but it was necessary that there should be a finding that bribery had extensively prevailed, or that there was reason to believe that it had extensively prevailed at the election in question. By the Act of last Session the same course was to be taken, when—not a Select Committee of the House of Commons, but the learned Judge who presided at the trial of the election petition made a similar Report. That was the only difference between the Act 15 & 16 *Vict.* and the Act of last Session. Now, he had to ask their Lordships to agree in no less than six Addresses which had been resolved upon by the House of Commons in pursuance of the Act of last Session. With respect to five of these cases no question would arise; but as to the sixth a question did arise on the form of the Report made by the learned Judge who conducted the inquiry into that election. The Report related to the election for the City of Dublin. Upon that inquiry and that Report some question had arisen in the House of Commons, and he understood it was desired there should be some discussion on the matter before their Lordships. His noble and learned Friend (Lord Cairns) had communicated with him with reference to the Report—it was only fair and right to state—before the question was agitated at all in the other House, and he (the Lord Chancellor) took occasion to consult the Law Advisers of the Crown on the subject. He concurred in opinion with them that the case was one in which an Address was desirable. His noble and learned Friend, however, had doubts on the subject, and in that state of circumstances he was desirous that the matter should be discussed by their Lordships.

He was only anxious that the right construction should be placed on the Act of Parliament; and the question was not a matter of technical knowledge, but one on which they were all able to form an opinion. The discussion he proposed should be taken to-morrow, and till then he should postpone the whole of the six cases.

House adjourned at half past Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 7th June, 1869.

MINUTES.]—Ways and Means—*considered in Committee.*

Public Bills—*Ordered*—Drainage and Improvement of Lands (Ireland) Supplemental *.

Second Reading—Assessed Rates [21]; Government Annuities, &c. * [70]; Metropolitan Poor Act (1867) Amendment [53]; Titles of Religious Congregations Act Extension * [127].

Committee — Report—Diplomatic Salaries, &c. [118].

Conisdered as amended—Municipal Franchise * [85].

Third Reading—Election Commissioners (Expenses) * [139]; Beerhouses, &c. * [141], and *passed.*

Withdrawn—Representation of the People Act (1867) Amendment [43].

POST OFFICE—SERVICES IN WALES.

QUESTION.

Mr. WALSH said, he would beg to ask the Postmaster General, Whether he intends taking any steps to accelerate the Postal services to and from the counties of Brecon and Radnor?

The Marquess of HARTINGTON, in reply, said, he regretted that there should have been any delay in concluding the arrangement for these services. Negociations had been opened with the Central Wales and Hereford and Radnor Railways, with the view of establishing railway communication. Pending these events, an effort would be made to improve the arrangements.

ARMY—FINES FOR DRUNKENNESS.

QUESTION.

Colonel NORTH said, he would beg to ask the Secretary of State for War, Whether Officers commanding Companies are to be held responsible for the payment, out of their contingent allowance, of their fines inflicted upon their men for drunkenness, under a recent Regulation; and, if so, what Royal Warrant sanctions such a charge being made upon them?

Mr. CARDWELL said, in reply, that the fines for drunkenness were stopped out of pay by Regulation, and were not the subject of any Royal Warrant under which commanding officers would be held responsible.

RIOT AT MOLD.—QUESTION.

Mr. OSBORNE MORGAN said, he would beg to ask the Secretary of State for the Home Department, Whether he has received any further intelligence as to the circumstances under which the troops employed to suppress the late disturbances at Mold fired on the people; and particularly whether it is true that such firing took place before the Riot Act was read?

Mr. BRUCE: Sir, the information that has reached me comes from the clerk to the justices and the clerk of the peace, through the Lord Lieutenant. It states that, in consequence of apprehended disturbances, some troops were telegraphed for from Chester, upon the 31st of May, and that there assembled at Mold about fifty soldiers and thirty-eight of the county police. The case adjudicated upon was that of eight colliers, six of whom were sentenced to fine or imprisonment, and two to imprisonment only, for an assault upon the manager of a colliery. The two latter had to be removed from the police office to the railway station, a distance of 200 yards, and in the course of their removal the officers who had them in charge were assailed by a mob, estimated at from 1,000 to 2,000 in number, who lined both sides of the street, and who, unfortunately, had an unlimited command of stones, inasmuch as the road had lately been repaired. The soldiers and the police behaved with very great forbearance, though they were subject to a very severe discharge of stones—so much so that the inspector of police states he was himself struck from two to three dozen times. The police and soldiers, however, were enabled to carry their prisoners into the railway station. There the attack became so violent and the danger so great—because by this time a considerable number of both soldiers and policemen had been rendered unfit even for self-defence—they were so seriously injured, that, by the order of one of the magistrates, Captain Blake, the officer in command, gave the command to fire. At first the firing was mainly directed over the heads of the rioters; one collier was shot, and that was the only result of the first firing; but, as the effect did not diminish the violence of the attack, the firing was renewed, and was kept up for some time, until the colliers retreated. During that time, I grieve to say, four persons received mortal injuries, and they are, in fact, dead of the injuries they received. In addition, a considerable number of persons were wounded, but the number has not been exactly ascertained. More than twenty of the soldiers and twelve of the police were seriously wounded by missiles. The Riot Act was not read. I have no doubt my hon. Friend who puts this question is perfectly aware that the reading of the Riot Act is not necessary. The only effect of reading it is to make a riot — which is already a misdemeanour at Common Law—a greater offence; it makes it, in fact, a felonious offence, which was formerly punished with death, but which by a recent Act is punishable with fifteen years' penal servitude. The justification of the soldiers in firing before the reading of the Riot Act can be based upon the fact that they were subject to a very dangerous personal attack, which justified them, as it would justify any one of us, in using for defence any weapons at our command. That was the opinion of the jury, who found a verdict in which, besides finding the cause of death, they stated that the soldiers showed great forbearance; and that is the opinion of the persons who have communicated with me, some of whom were present on the occasion.

NAVY — DOCKYARD EMIGRANTS TO CANADA.—QUESTION.

MR. ALDERMAN SALOMONS said, he would beg to ask the First Lord of the Admiralty, If he has received from the Commanders of the "Crocodile" and the "Serapis," that conveyed Workmen recently discharged from the Government Establishments at Portsmouth and Woolwich, any Reports as to the conduct of such Workmen during the voyage, and as to their disposal on their arrival in the Dominion of Canada; and to inquire if those Reports can be laid upon the Table?

MR. CHILDERS: Sir, about 1,100 persons have been taken in the *Crocodile* and the *Serapis* to Canada during the last two months. They were selected with very great care from among the workmen who have been employed for some time either in the dockyard or in the arsenal, and their conveyance to Canada, although in Her Majesty's troopships, was under the management of the Emigration Commissioners, and it has been carried out with complete success. From the Commander of the *Crocodile* we have a Report, dated May 7, to this effect—

> "The emigrants are landed 'all well,' and I have much pleasure in reporting that from the time they have been on board the *Crocodile* their conduct has been everything that could be desired, and no body of men could have given less trouble. I may here state that the chaplain and surgeon, with the paymaster and other officers, have been unremitting in their zeal and desire to carry out their Lordships' instructions, and the emigrants have not been remiss in expressing their gratitude for the kindness shown them."

This is the Report from the Commander of the *Serapis*—

> "Quebec, May 16, 1869.
>
> "The emigrants have behaved well, and I am happy to inform their Lordships that, the passage being a smooth one, they have experienced little or no discomfort."

With reference to the latter part of the Question, the disposal of the emigrants on their arrival at the Dominion of Canada, we have this Report from the Emigration Agent at Quebec—

> "May 31, 1869.
>
> "From information recently forwarded to me, I learn that these people were judiciously distributed among the rural districts in his neighbourhood, and that no difficulty was experienced in obtaining immediate employment for them."

We shall be happy to lay the Papers on the table as soon as they are complete.

ARMY—VOLUNTEER CAPITATION GRANT.—QUESTION.

MR. SIMONDS said, he would beg to ask the Secretary of State for War, When the Volunteer Capitation Grant will be paid; and why the annual allowance of Ammunition has not been forwarded to the various Corps which have made application in the regular form?

MR. CARDWELL said, in reply, that the Volunteer Capitation Grant was in course of payment, and would be paid to Corps applying for it. With regard to the annual allowance of ammunition, the greater proportion of it had already been supplied. Owing to complaints that were made last year, much of the old ammunition had been destroyed; it had, therefore, been necessary to wait until new ammunition could be made; and it was now being distributed as rapidly as it could be made.

TELEGRAPHS AND RAILWAY COMPANIES.—QUESTION.

MR. HUNT said, he would beg to ask Mr. Chancellor of the Exchequer, What progress has been made in settling with the various Telegraph and Railway Companies for the purchase of their interests in Telegraphic lines, and whether he intends to introduce a Bill this Session to provide Ways and Means for carrying out the measure of last Session upon the subject?

THE CHANCELLOR OF THE EXCHEQUER: Sir, very great progress has been made in the arbitration, both with regard to the telegraph companies and the railway companies; but the arrangements are not yet completed, and therefore it would be premature to make any announcement with respect to them.

CLERKS TO JUSTICES, &c.—FEES AND SALARIES.—EXPLANATION.

MR. BRUCE said, he wished to correct a statement he made the other day with respect to the number of clerks to justices and of clerks of the peace whose payment by fees had been commuted into salaries. Misled by a Return, he stated that in about thirty counties the clerks of the peace had been subject to the change, but he now understood the number was much less, and the commutation had been made with respect to clerks to the justices in the greater part of about nine counties and in about forty or fifty boroughs.

ASSESSED RATES BILL—[BILL 21.]

(*Mr. Goschen, Mr. Secretary Bruce, Mr. John Bright.*)

SECOND READING.

Order for Second Reading read.

MR. GOSCHEN, in rising to move that the Bill be now read a second time, said, the Government wished that the House should proceed with the Bill with a full knowledge of the Amendments to the clauses, and of the new clauses which he had placed upon the Paper since the introduction of the measure, and which would materially alter the character of the Bill. In the first place, the Government proposed to re-authorize the practice of compounding by permitting agreements between owners and overseers for the payment of rates, in consideration of a definite commission to be paid to the owners. It was also proposed that owners should make themselves primarily responsible for the rates, so that the collector might go to them in the first instance instead of to the occupiers. Another Amendment authorized compounding in the case of tenants paying quarterly, provided the houses occupied were under £10 in value if without the metropolitan area, and under £20 within it. These, the chief Amendments he had placed upon the Paper, would meet the objections to the Bill as it originally stood — that it would meet the case of weekly tenants only, and that the 25 per cent would not give sufficient leverage to overseers to induce owners to compound. A further objection had been raised that the Bill did not offer sufficient inducements to the owner to make him undertake to pay, and this was met by an Amendment proposing that 25 per cent should be paid only to those who took the responsibility of the rates entirely upon themselves. In this way the Government proposed to remedy the economic grievance arising from the abolition of compounding, which had turned out to be far greater than any one anticipated two years ago, when Parliament had to choose between composition for rates and an extension of the franchise; but they had been careful also to avoid the danger of Parliamentary disfranchisement, which the re-introduction of compounding under the existing state of the law of representation might involve. As soon as the overseers had no interest in placing the name of the occupier upon the rate book omissions by the thousand would possibly occur; it was, therefore, not enough to say the name of the occupier should be placed on the rate book, and that his right to the suffrage should not be affected by his landlord's paying the rates. Machinery must be provided for enforcing the action of the overseers in the matter. Before the Act of 1867 passed composition was practised in the case of 95,000 occupiers above the £10 line, but notwithstanding the facilities for bringing such householders on the register, the names of only 25,000 found their way there. This being the case in respect of occupiers of houses above £10 in value, it was easy to imagine what would be the result in respect of occupiers of smaller tenements, a more shifting class, who would have more trouble in getting on the lists. It might be safely estimated that three-fourths at least of this class would not come upon the register if no further provision were made. The Government, therefore, recommended three provisions as straightforward as any ever put in a Bill for the protection of political rights. Checks were required in these cases. It was proposed, in the first place, that the owner should be fined the commission he would otherwise get, if he omitted to give a list of the tenants he compounded for to the overseers; in the second place, that the overseers should be fined 40*s.* for each name omitted from the register; and in the third place, that the occupier should be allowed to claim his right before the Revising Barrister, and have his name placed upon the register, if these checks had not proved sufficient. These were generally additions to the Bill rather than Amendments to it. The House would remember that the main principle of the Bill as introduced was that weekly tenants should be allowed to deduct their rates from their rent; and this system remained, but composition could co-exist with it. In this way, he believed, the Act would redeem all just expectations raised respecting it as regards the political side of the question. He was bound to state what induced the Government to make in the Bill the important change which they now proposed. When he first introduced the measure he stated truthfully and loyally that the Government were endeavouring to effect this economical reform without reviving the debates on the Bill of 1867, and they were anxious to do so without touching any political or party questions. The Bill had been before the country for some time, and they had received communications from a vast number of local authorities. He had obtained information from almost every borough in which composition had previously existed, and the opinion was almost unanimous that the Bill, as it stood, although a valuable step in the direction of easing the weekly occupier, did not offer the landlords sufficient inducement to come to those agreements between themselves and the overseers which were so universally desired. The Government had thought that the leverage of the reduction of the rent would be sufficient; but they were told that it would not be so, but that, from arrears of rent and the difficulties tenants would have in understanding the arrangements, the deductions would not be sufficient to secure the object which, without any difference of party, they all had in view — namely, the settlement of this very difficult and formidable question. The Government thought, therefore, that they would be justified in making fresh proposals, if they could not attain the end in view by the means which they had at first proposed, and he felt convinced that hon. Gentlemen opposite would as far as possible co-operate with them. It was also represented to the Government by many Conservatives as well as Liberals, who had come on deputations, that the payment of rates by the poorest class of occupiers was surrounded by such great difficulties, and was so inoperative at the present moment, that it would be better to abandon it altogether. What he wished to ask hon. Gentlemen opposite was, in what respect would any protection to the franchise which now existed be diminished if they carried into effect the proposals now submitted to the House? It had been admitted, in the debates on the Bill of 1867, that payment by the landlord was practically payment by the tenant. That had been admitted by hon. Gentlemen opposite even when the landlord paid it in a lump sum, and the tenants paid it by instalments in their weekly rent. That was payment within the meaning of the Act. "*Qui facit per alium facit per se*" was a maxim which covered the principle of the Bill now before the House as well as the Bill of 1867. When hon. Members became aware of the great grievance which existed, when they heard that hundreds and thousands of summonses had been issued, and that great heart-burning had been occasioned, they would feel that they could give up something which, after all, was but a shadow, because, as he had endeavoured to show, the personal payment of rates had, by the force of circumstances, been proved to be utterly impossible, and if impossible, was it worth while to keep up a fiction which led to so much misery, especially as the very class which had been enfranchised was dissatisfied with the very Act which had brought it within the pale of the Constitution? If they could correct these evils with the good feeling and co-operation of hon. Gentlemen opposite they would do a great deal to strengthen the respect with which the Act of 1867 would be regarded. It now only remained for him to explain the difference between that composition which the Government proposed to establish and the composition which existed before 1867. The difference consisted in this—that the Government were endeavouring to have a regulated and uniform system throughout the country, and did not intend to establish the old system of compounding or reviving local Acts with all their differences of composition and enormous allowances. They were going, indeed, in the direction of uniformity of assessment. All were agreed that they must do their best to produce that. They wished to have uniformity of rating and uniformity in the collection of rates, and would it be wise, then, to re-establish a system of varying deduction in every borough according to the desires of the local authorities? That was the chief difference between the Bill of the Government and the simple re-enactment of composition. The Government might not have chosen the right line for the deduction; it was for the House to say whether it should be at 25 per cent, or at what point it should be; but he was sure the House would be unable to sanction the enormous deductions—amounting in some cases to 66⅓ per cent—which had prevailed in some boroughs. The Government proposed that an agreement should be authorized between the landlords and the tenants at a scale to be fixed once for all by the House. If £10 in the country and £20 in the metropolis should not appear to be the right limits, that was a matter on which the Government would feel bound to bow to the judgment of the House. It had been suggested in several large towns that there ought to be two scales of deduction, one for houses between £5 and £10, and the other for houses below £5. However that might be, the two points on which the Government felt strongly were that the weekly tenants ought not to be called upon to pay rates for a longer time than the tenancy; and that there should be one uniform and not a diverse system of deduction, at the same time that the political rights of the newly-enfranchised class should not be infringed. He had endeavoured to state as briefly as possible the effect of the measure, and he would now leave it to the impartial judgment of the House.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Goschen.*)

Mr. CORRANCE: We are certainly indebted to the right hon. Gentleman for the explanation he has afforded us of the intention of this Bill, for I confess it does not explain itself to me as clearly as I could wish. We are also indebted to the right hon. Gentleman for some admissions he has been pleased to make. Although there may be some reasons for the introduction of a Bill of this nature during the present Session, and sufficient cause for the great dissatisfaction which now exists, I confess that it is with no great sense of its adequacy to remove either such causes or the feelings it has justly created, in the Bill it is now the pleasure of Her Majesty's to introduce. The grievance complained of is this—that an alteration of an arbitrary and unjust nature has been made in a law heretofore existing, permitting owners of private property to make arrangements with the municipal bodies to which they belong, in the first place to the convenience of both parties concerned, and in the second, to the manifest advantage of the poorer classes by whom these tenements were held. They complain that the measure itself was a partial measure imposed upon such Parliamentary boroughs in an unfair and invidious manner, productive of consequences most seriously affecting their comfort, and for purposes to which they attach, perhaps, less importance than some hon. Members of this House. And they have cause for the complaint. I learn that by some the compounding system had been condemned. I believe that it was reported against by the Committee which sat last year; but, although I have carefully gone through the evidence, and the reasons put forward in its support, I think either that the Committee failed to recognize the force of some parts of that evidence, or that they entered into it with minds already strongly prejudiced against it; but I also think that this was sure to have been the case, for that Committee was composed of men who had sat through the great compound-householder debate. They had suffered unspeakable things at his hands, sat through long mornings and weary evenings; and, at last, to use a figure of speech lately employed by a right hon. Gentleman in another case, the House of Commons took courage to itself, the courage of desperation perhaps—perhaps of imperfect knowledge, and the compound-householder was at one effort disestablished and disendowed. It was to ratify and confirm that decision that the Committee of 1867 sat. The compound-householder had been uncompounded. The Sartor Resartus and they sat upon him to keep him in his place. Throughout the whole proceedings this is obvious enough. If the House will bear with me a short space, I will show this. In the first place, I take Mr. Lumley's evidence as to this, and I would ask the Members to read Mr. Lumley's answers and evidence upon this special point from 125 to 285, and especially the answers at 206, 209, to 214, and lastly 277 to 278, page 14 of Report. For instance, at 206, after some evidence of the favourable working of a local Act, to the question—"Whether the Poor Law Board had always been in favour of rating owners?" he says—Yes," and subsequently at 213 and 214 repeats the same without qualification. And at 278 to question—"You have reason to believe that it is satisfactory throughout the county, and is being generally adopted?" he says—"Yes, I think so; I think it is increasing very much." 279—"You do not hear complaints of the auditor, or any other person in communication with the Poor Law Board?" answers—"No." Nor do I rest upon this. Going back to a former time, and subject to an inquiry certainly not less exhaustive and complete, and conducted by men whose ability has, it is probable, no equal in this House, we find under their Report stated that—

> "There are grave defects in the present manner of assessing the poor's rate under the provisions of Geo. 59., c. 12, ss. 19-23, for rating owners of property, the occupiers of which are a class of persons too poor or too fluctuating to be conveniently assessed to the rate."

And as a remedial measure they suggest that new enactment should be made to the following effect, namely—

> "That owners of all rateable property let for no greater term than one year, of no greater annual value than (£), without any minimum, shall be rated in respect of such property, instead of the occupier thereof, to all the local taxes."

Such a change as that suggested would probably be found sufficient to remove the existing complaints upon this part of the subject. Now, in the face of evidence such as this, it will not, at least, seem bold for me to doubt the weight of argument which induced the Committee, under Resolution 26, to affirm—

> "That so much of any public or local Act as relates to compositions for rates for public purposes should be repealed."

And I can see no reason to reverse the opinion I expressed in this House, when in speaking upon this question, I said, April 12th, 1866—

> "There are two ways in which we may attain this, we may abolish composition, or we can render it equal throughout and recognize it as the full rate. To the former I object. I think that composition is justly esteemed an advantage to the township and a boon to the labouring class."

And I must hold that this view has been completely justified. The results—for this I am indebted to the Report, at page 32, under section 8—as to the collection of rates, the most comple evidence exists, and at Norwich, Birmingham, Brighton, Manchester, Liverpool, Wolverhampton, Oldham, &c., the full effects have been realized at once. From the right hon. Gentleman the President of the Board of the Trade, we have also evidence of this. In a recent speech, at Birmingham, he is reported to have said—

> "But I want to speak to you a little upon another point of that Bill, and that is the clause or clauses which have created so much suffering and irritation in this town. I have a note sent to me to state that there have been no less than 15,000 summonses issued in connection with the payment of the rate made last May; that no less than 5,000 warrants of distress have been issued, and that it costs the parish at least £40 a week, or at the rate of £2,000 a year more than before, to collect the rates. It is a very curious thing that Birmingham has been more hardly hit than any other borough in the kingdom by this rate-paying clause, for in this borough the principle of compounding, that is of the landlord paying the rates of his tenants, and receiving a certain discount as compensation for that payment, had been

established for a longer period, and to a greater extent, I believe, than in any other town in England or Wales."

Well, I agree with the right hon. Gentleman up to that point; a great injustice had been done, and one which entailed inconvenience upon some, and absolute hardship upon a larger class. But the right hon. Gentleman will excuse me if I differ with him somewhat in the statement he makes in the latter part of the same speech. If any injustice was done, or wrong suffered, it did not originate on this side of the House. The right hon. Gentleman is reported to have proceeded thus—

> "Now, there were three ways out of this difficulty, and it is sometimes convenient to have even one way of getting out of a difficulty. We might have had a pure household suffrage, without any reference to rating whatever, which, of course, would have been the best. He might, according to the Motion made in the House by Mr. Hibbert, have extended the operation of my clause which operated upon the 94,000, and might have extended it over 476,000, and justice would have been done; or he might have done another thing, which he afterwards agreed to do, and which he did, which was to abolish the system of compounding altogether, which, I think, was the least wise, and the most harsh, and the most unjustifiable of the different propositions offered to him."

The right hon. Gentleman has lately accused the Leader of this party with a home manufacture of history. He has given one more instance of his dislike to monopoly in this case. I repeat it, this injustice, if there is injustice, did not come from this side of the House, and of this the right hon. Gentleman has been also kind enough to furnish the proof. Let me call the attention of the House to this. In explanation of the transaction, he goes on to say—

> "I will tell you first what Mr. Gladstone said. I understand that our opponents and their orators in the borough, and their newspaper writers lay the blame on Mr. Gladstone and the Liberal party, for the abolition of compounding, and for the infliction of so much suffering and hardship upon a great many thousands of the cottage occupiers in Birmingham. This is what Mr. Gladstone said when Mr. Hardcastle made his proposition. 'My hon. Friend offers us at the expense of an economical and social inconvenience, at the expense, at any rate, of foregoing an economical and social advantage—he offers us, instead of an extension of the franchise, which we conceive to be limited and unequal, equivocal and dangerous, as tending, in many parts, to corruption—he offers an extension of the franchise which is liberal and perfectly equal. I am sorry, in deference to what seems an unwise judgment of the House, it is necessary to interfere with a system of composition which exists throughout the country. I must choose, however, the lessers of the two evils.'"

Afterwards, on another occasion, when Mr. Gladstone made a proposition to discuss the question, he made use of these words. He said—

> "I have deprecated it all along, and have consented to it as I would consent to cut of off my leg rather than lose my life, on the principle of choosing the lesser evil. Well, what was the greater evil? It was that there should be no enfranchisement. Now, this much I can accept, and what it proves is this—that the scheme was one deliberately adopted, and duly concerted among leading men on that side for an object distinctly avowed, and that it was done with a full knowledge aud conviction of the social injury they would inflict upon the labouring class. To them, no doubt, the sacrifice made did not seem too much, it is perfectly possible to understand that."

Well, the right hon. Gentleman further informs us that Mr. Hodgkinson was a speaker upon the clause, and ends this remarkable chapter thus—

> "He was once on our side, who was anxious to give no vote against any part of the Bill, because we were wishful that, in some shape or other, the Bill should pass through Parliament; and he gave notice that as the Government would not take any other mode of enfranchising the people, they insisted that the system of compounding should be absolutely and at once abolished."

And observes, with becoming candour—

> "I dwell upon this, because of the passages I have seen in the speeches of our opponents, which show one of two things, either that they know nothing of the matter, or are very careless of the truth."

Well, there is one thing which, perhaps, I may observe for the benefit of those Members, who were not at that time in the House, that this Mr. Hodgkinson, thus casually alluded to, was the Mover of this clause. The actual author we now know to have been the right hon. Gentleman at the head of Her Majesty's Government, and the right hon. Gentleman the President of the Board of Trade. And when it is duly demonstrated that this plan was neither connected, matured, or moved upon this side of the House, it will be, I think, clear how large a liberty has been taken with facts in the assertions put forth. Now, this is a matter of no small importance if we consider to what issues it lead. This speech of the right hon. Gentleman formed the text upon which the minor orators of the boroughs duly, and according to their lights preached, It influenced many minds, and may have helped to swell that majority which has assumed the grave responsibility of dismembering the English Church. It was done by politicians to serve a distinct party purpose, and they gained their end. Let them, at least, have the manliness to confess the truth. For that deed, good or evil, but certainly attended with hardships, this Bill is the cloak. It does not amount to a restitution of rights. I do not believe that this question has ever been fairly understood either as a social or political question, though I am not about at this time to enter into this. I am content to agree with the high authorities which I quote. To your present Bill grave objections exist. By it you still leave the occupier, at short periods, liable for his rate, and the benefit he derived from his landlord's composition is lost. By it you arbitrarily fix the abatement at 25 per cent, when under the extreme variability of circumstances in various localities it should often be 50, at least, and at this the occupier pays the full rate, if the question was properly understood. Of this, the bargain between the owner and the municipal authority is the best test. It is my belief that it will be a most inadequate remedy for a very great injustice to the poorer class, and that done for a political purpose. Their interests have not been adequately considered, nor adequately met. Acting under this belief, I shall move that the Bill be read this day three months.

The Motion not being seconded, was not proposed.

MR. HIBBERT said, he would not follow his hon. Friend (Mr. Corrance) in his argument as to who was answerable to the House for the abolition of the compound-householder. If any injury had accrued to the rate-payers in consequence of that abolition, he did not know whether the fault was attributable to the Liberal or the Conservative party; but if to the Liberal party, the present Government had, at all events, brought forward a measure which sought to obviate the inconveniences which had accrued during the past year. For his own part, he was not at all in favour of the system of compounding. He should like to see it abolished in all parishes, and he regretted that his right hon. Friend the President of the Poor Law Board had not introduced clauses repealing the operation of the Compounding Acts in the various parishes in which they were at present in force. He would now briefly state why he preferred the present Bill to a revival of the compounding system. That system acted variously in different parts of the country, and was greatly abused in many towns where local Acts were in operation. He need not refer to a stronger case than that of Birmingham. There, although the system only applied to a part of the town, the abuse was carried to the utmost extent. For houses under £5 rental two-thirds off the rate was allowed, half being allowed for houses between £5 and £8, and one-third for houses between £8 and £12. How did this operate? Take the case of a house in Birmingham with a £5 rental. There would be certain deductions allowed by the Assessment Committee amounting to from 20 to 30 per cent, and being on the average 25 per cent. This reduced the assessable value of the house to £3 15*s.* Therefore, if a rate of 1*s.* in the pound were imposed it would amount to 3*s.* 9*d.*; but under the local Act 2*s.* 6*d.* was taken off, so that in reality the owner paid only 1*s.* 3*d.* Again, in Brighton, houses up to £20 rental were compounded for. The houses at £20 a year rental were occupied, not by the poor, but by shopkeepers and persons belonging to the middle classes, and he did not think that such people ought to have allowances made to them under the compounding principle. He believed that in Lambeth, Marylebone, and many other districts of the metropolis, houses of £20 rental were compounded for. This was, therefore, a real objection to the compounding system. But compounding had another disadvantage: it took away the advantages arising from the occupiers having a voice in the management of their own affairs. A portion of the town of Birmingham, for instance, was under a local Act, and the consequence was that nearly one-half of the householders of Birmingham in that district could not be put on the burgess roll in consequence of their names being off the rate books, owing to the system of compounding. This state of things, however, did not occur in towns under the Small Tenements Act, which contained a clause reserving the rights of occupiers to vote at municipal and other elections. The Bill seemed to avoid the objections to the compounding system, and yet to take advantage of some of the good parts of that system. It secured the votes of all the rate-payers, whether in the vestries, in municipal matters, or at Parliamentary Elections. It would do away with one of the principal objections of the compounding system—namely, compounding to so large an amount, and making so large an allowance as 50 per cent. It seemed to legalize what was now attempted to be carried out in a voluntary form between overseers and owners of property in certain places. In some of the Parliamentary boroughs, where the compounding system had been abolished, there was a voluntary arrangement for the payment of the rates by the owner. A system had been adopted in many towns, where there was no composition, by which the owners paid the full rate and the occupiers remained on the rate book. That system had prevailed at the time compounding was abolished in the case of 98,000 rate-payers at a rental of £10, and in those towns the occupiers retained their right to vote. In the town which he had the honour to represent (Oldham) the system of composition had never existed, nor did he think his constituents had any wish to see it established; but then the Bill would give them an opportunity of making deductions, and of allowing the owners of houses to make arrangements for the payment of the rates of the occupiers. He preferred it to the system of compounding, because it did not compel every town to make the allowance of 25 per cent. It made 25 per cent the maximum. Another superiority of the present Bill over a revival of the system of compounding was that it applied to all places and to every parish in the country, while the system of compounding only applied to a limited number of parishes. If compounding was good it ought to be made compulsory on every parish. But if that Bill was good they ought to do away with compounding and make that Bill compulsory on every parish. The right hon. Gentleman ought to have repealed the operation of the Small Tenements Act in parishes where it was at present in force. The Small Tenements Act applied to houses of the rateable value of £6 and under, and this Bill, if the Amendments proposed by his right hon. Friend (the President of the Poor Law Board) became law, would come into operation with respect to houses below £10 rateable value; so they would have the Small Tenements Act in operation in respect to houses below £6 rateable value, and the new Act in operation in reference to houses between £6 and £10 rateable value. That was a distinction that ought not to exist. They would have overseers making agreements with owners between £6 and £10, and they would find the vestries adopting the Small Tenements Act with respect to houses of £6 rateable value. He should like to know also what the right hon. Gentleman proposed to do in regard to a difficulty which would arise in many places with respect to rescinding the Small Tenements Act. It was now necessary that two-thirds of the rate-payers should meet to rescind the Act, but the rate-payers most interested in having it rescinded were not on the rate book, and could not attend the vestry. Some clause should be introduced that would give all rate-payers, including those who were compounded for, the right to vote in the vestry on the question whether the Small Tenements Act should be rescinded or not. He should much prefer that the right hon. Gentleman should adopt the recommendations of the Poor Law Assessment Committee of last Session, and do away altogether with the system of compounding; but if the system were continued, he thought its operation ought to be limited to houses of a rateable value of £8 instead of £10 in the country, and of £16 instead of £20 in the metropolis. He should have felt satisfied if his right hon. Friend had presented his Bill without this 25 per cent deduction principle. When, however, he saw owners made liable for the rates on empty houses, it was, perhaps, only fair and reasonable to give them this allowance of 25 per cent. The Bill with the Amendments to be proposed furnished, he thought, a good and practical method of meeting the difficulties of the question, and it would, he hoped, receive the support of the House.

Mr. HEADLAM said, he thought the House was placed in a great difficulty in discussing this question. They had before them one Bill, and they were, in fact, discussing another. He had in his pocket a large correspondence, the parties to which gave by no means a complimentary version of the original Bill. He must say he could never have assented to that Bill. But now they were discussing in reality a Bill totally different. He regarded the course which had been taken by the House in 1867, in doing away in about two hours with the whole system of compounding, without considering what should be done in consequence of so great a change, as a very great mistake. He was also of opinion that another great change ought not now to be made until the country had been afforded an opportunity of expressing its views with respect to it, for, as it was, the bearing of the present measure was very imperfectly understood. What he should suggest was that, before anything like a real decision on it had been arrived at, the Bill should be committed *pro formâ*, in order that the Amendments might be introduced into it which it was proposed to insert. The subject was one of great magnitude, and it must not be supposed that the Bill would simply restore compounding in places in which it had existed before. It applied not only to houses, but to land, and not only to Parliamentary boroughs, but to every borough in the kingdom; and, while it was not quite clear to him that the system of compounding necessarily did good to the poorer classes of tenants, he had not the slightest doubt that any sudden transition from compounding or to compounding was calculated to produce the greatest hardship, resulting, in the dealings between landlord and tenant, in causing the weaker to go to the wall. Where compounding was established, the landlord would raise his rent; where it was abolished, the landlord would say it was done by legislation and not by him, and he would not reduce the rent. For these reasons he should not wish to pronounce his opinion as being decidedly in favour of the Bill without further information.

Mr. HOLMS said, that in venturing to offer some remarks upon the important question now under discussion, he desired, as a new Member, to claim the kind indulgence of the House. As Chairman of a metropolitan organization of parish authorities, formed to procure a repeal of the rate-paying clauses of the Reform Act of 1867, he took a deep interest in this question. The organization to which he referred was based purely upon economical grounds he might explain, and it was composed of men of every shade of political opinion. The large constituency (Hackney), in the representation of which he had the honour to share, was also deeply interested in this matter, and it was from a strict recognition of his duty towards them, as a representative, that he was induced thus early to address the House. In two parishes out of three of the borough which he represented, from 60,000 to 70,000 summonses for rates had been issued in a single year since the abolition of compounding, and in the whole more than 100,000. He need not say that that amounted to a great calamity. It had been productive of the greatest anxiety, distress, and serious loss to thousands of poor families. The cause of that parochial anarchy was the Reform Act of 1867, and the responsibility now rested on the House to remove this great parochial difficulty. A personal and careful inquiry into the merits of compounding confirmed him in this opinion—that it possessed merits which were neither fairly weighed nor considered during the political struggle previous to the carrying the Reform Act. It was a system built on the practical experience of more than half-a-century, economical and simple towards the parishes, satisfactory to landlords, and kind towards the poor. He deeply regretted that the system had been sacrificed to the exigencies of a political party. The compound-householder had been made much too mysterious an individual by hon. Members on both sides of the House. The simple mode of making the landlord the rate collector for the overseers, by the discount that was given to him, fulfilled one of the three important canons on taxation laid down by Adam Smith. All rates ought to be collected at the time and in the manner in which it was most convenient for the occupier to pay them. It was well known that in cases of domestic calamity it was often impossible for the poorer occupiers to pay at all. For the remedy of the present state of affairs there were two plans before the House, and he rejoiced that the Government had agreed that both should be discussed on the same night. He was in favour of the plan laid down in the Bill introduced by the hon. Member for Dudley (Mr. Sheridan), because it proposed to restore a system that had been found to work well. The parish of St. John's, Hackney, under their local Act, had power to compel the owner of property of any amount, where the tenements were let for a shorter period than a quarter of a year, to be assessed and collect the rates; and they had the further power of compounding with any owners of property let under £20 a year, and for any length of time. What was the result? In the half-year before the passing of the Reform Bill of 1867, upon a rateable value of £440,875 they made a rate of 1*s.* in the pound, which ought to have produced £22,043, and actually yielded £21,900, showing a deficiency of only £143, which was ultimately reduced to £50. He must, however, confess that in collecting that amount the parish authorities had to issue between 4,000 and 5,000 summonses; they had to excuse some 200 poor persons, and something like 1,200 distress warrants had to be issued. But let them look to the half-year immediately after the passing of the Reform Bill, when that sytem was swept away. The rateable value had slightly increased, and was £458,952, upon which, in place of a 1*s.* rate, it was found prudent to levy 1*s.* 6*d.* in the pound to cover any deficiencies. That rate ought to have produced £34,421, but it only yielded £29,199, showing a deficiency of £5,221, which was ultimately reduced by the payment of some portion of the arrears to about £3,700. But out of that amount a sum of £500 had to be paid to 270 owners of property for collecting the rates from 2,630 occupiers, which was, in fact, an evasion of the law. To obtain the amount of the rate 12,200 summonses had to be issued; 969 persons had to be excused by the magistrates, and 3,800 distress warrants were issued. These figures, however, but very feebly represented the amount of misery inflicted on the occupiers, who were, of course, the heads of families. The evil, though to some extent mitigated, would continue unless the parish authorities could have recourse to the powers which they formerly possessed. With regard to the measure before the House, he might at once say that politically he was satisfied with it, but economically he was not. His broad objection to it was that although the Bill gave powers to overseers to make arrangements with landlords of these poor properties, he did not believe that the landlords would make such agreements with them, because it would not be in any way so advantageous to the landlord to agree with the overseer if he could shift the entire payment off his own shoulders on to those of the tenant, and the consequence would be that neither would pay the rate. With regard to the objection that compounding was not a uniform system, so far from that being an argument against it, it was in his opinion a strong argument in favour of it. Two Bills had been brought in this Session to get rid of the present objections to the mode of valuation—one relating to the country generally, and the other to the metropolis. The great recommendation of the system of compounding before the late Reform Act was that it left people to manage their own affairs, and he was far from thinking it an objection that in Brighton and other towns the system was extended to houses above the value of £20. Hon. Gentlemen on the other side of the House need never fear that a large number of these small rate-payers would ever come upon the register—especially in large and populous boroughs—from the great number of removals which took place annually. In two of the parishes comprised in the borough he represented, there were between 5,000 and 6,000 removals every year. The restoration of this system would not in the least disturb these much-valued political and social institutions, and the class who were most directly interested in it deserved generous treatment at the hands of the House, since they had been loyal and peaceable amidst great privation and suffering. The Bill of the hon. Member for Dudley was incomplete, because it made no provision for those persons coming on the register, and, therefore, he would suggest an Amendment to that Bill, suggested by his constituents—that of placing the name of the occupier on the rate book, with power to him to pay the rate, so that he might not lose the franchise in case the landlord neglected to pay it.

Sir MICHAEL HICKS-BEACH said that, as a member of the Select Committee by whom this subject was considered last year, he was desirous of vindicating the conclusions of that Committee from the strictures passed upon them by the hon. Member for East Suffolk (Mr. Corrance). He quite agreed with the right hon. Gentleman the Member for Newcastle (Mr. Headlam) in regretting that they had not had an opportunity of considering the present proposal of Her Majesty's Government, which was entirely different from that made by them in the first instance, and which might have been better understood if the Bill had been re-printed before coming on for second reading. But the right hon. Gentleman had also referred to what had occurred in that House two years ago, when the compound-householder was abolished on the Motion of the hon. Member for Newark (Mr. Hodgkinson). Those who were present on that occasion would, he thought, bear him out in saying that there was no ground for the statement that the compound-householder was abolished in a hurry after two hours' debate, and in order to suit the exigencies of a political party. The Motion of the hon. Member for Newark was not accepted separately either by the House or by the late Government, but only when accompanied by the provision suggested by the right hon. Gentleman the present First Lord of the Admiralty. By that provision the owner and occupier were permitted to enter into an arrangement for the term of one year, by which the rates might be paid by the owner, the occupier in such case not being entitled to vote in respect of his tenancy. The right hon. Gentleman the present First Lord of the Treasury expressed himself in favour of this provision being added to the Motion of the hon. Member for Newark, and the late Government undertook to bring in clauses which would carry out both those provisions. They were, however, subsequently withdrawn, owing to the opposition which they encountered, not from the Conservative party, but from Members now sitting on the Government side of the House. Therefore, the late Government could not fairly be blamed for any hardships that might have resulted from the manner in which composition had been abolished by that House; but, in his opinion, that alteration had not by any means been attended by the evils which had been stated. With regard to its financial aspect, the evidence given before the Select Committee showed that at Oldham, Stockport, and Sheffield, where the practice of compounding had not existed, the proportion of the rates lost was much smaller than that lost in boroughs where the practice prevailed, and this was the case, too, with Bolton. In Oldham, where there were 17,800 occupiers, the total loss on £158,181 of rates levied during the time of the cotton famine had been only £21,584; whereas, if the Small Tenements Act had been in force, the allowances to the landlords under that Act would have been £29,337. In Stockport, where a similar composition had prevailed, between the years 1838 and 1850, only 60 per cent of the rates were received, as against 80 per cent collected under the system of personal assessment now existing. In Sheffield, where the district rate is compounded for at an allowance to the owners of 25 per cent on houses of £7 rating and under, £5,800 was lost out of £54,000; while, on the poor rate not compounded for, £937 only was lost on a rate of £80,000. The evidence given before that Committee also went to prove that the towns where the practice of compounding had formerly prevailed had not suffered in a financial point of view from its abolition. He believed there was only one place, Bethnal Green, in which a loss was anticipated by the collectors. The Committee took evidence from twelve or thirteen large parishes of the metropolis and of the largest towns in the kingdom, in almost every one of which an increase was expected. A series of questions was also circulated to towns that did not send up witnesses; of thirty-nine replies sixteen anticipated an increase, and only two a decrease; and in the other cases either no rates had been levied since the alteration, or the amount produced was expected to be much the same as before. Therefore, it could hardly be said that the abolition of composition was any great injury to the parishes; on the contrary, he believed it to have been a great benefit. Two cases had recently been mentioned in *The Times*, in one of which, that of Bradford, a large proportion of a rate had been collected without any difficulty, while in the other, that of St. George's-in-the-East, a rate of 5*s.* 1*d.* had produced as much as a rate of 5*s.* 3*d.* would have done under the compounding system. Therefore, it must be admitted by all who had given attention to this question, and who founded their opinions upon evidence, that, taking the country at large, the abolition of composition had resulted in a gain to the parishes. But it had been alleged that, though the parishes might have benefited by the change, it had only been at the cost of great hardship to the poorer classes of occupiers. Now, in the first place, much of this hardship was merely temporary. Of course, it was impossible to make a social change affecting large numbers of the poor without creating a large amount of temporary inconvenience and distress, and there had been other cases besides this in which a change of system had brought about a considerable amount of dissatisfaction. It was given in evidence, before the Assessed Rates Committee, that at Brighton, Wolverhampton and other places there was a great falling off in employment for the inhabitants in the year following the abolition of composition, and again at Manchester and Northampton there was very considerable political agitation in connection with the extension of the franchise, by the abolition of the rate-paying clauses. But the distress was mainly caused by the fact that landlords in large towns, so far from recognizing the duty they owed to their tenants, kept up the rents at the old amount, and made the tenants pay the rates in addition to the former rent, which had included the rates. It must be remembered, with reference to the power of the landlord to act in this way, that it was merely a question of supply and demand. Where accommodation was scarce, landlords had tenants in their power. In such places, if the Government allowed the landlords 25 per cent under the present Bill, it would all go into their pockets, and the tenants would receive no benefit from the proposed change. He could not see why it was necessary to remove the liability of the occupier to the Poor Law throughout the whole country, simply because in certain parts occupiers were too poor, or through circumstances had been too distressed to pay the rate. The real grievance was confined to the case of weekly tenants, and he was ready to admit that they had a substantial grievance. Doubtless, under the present system, weekly tenants might be called upon to pay for a term far in excess of the period of their occupation; and he would co-operate in providing any possible remedy for this grievance. If they had the power to elect to pay the rate by instalments, he thought that would be amply sufficient to meet the case. If the parochial officer could only compel the tenant to pay such a portion of the rate as corresponded to the term for which he might, if he chose, remain in his house, he did not see why they should give the tenant any power to deduct a rate paid by him from the rent due to the landlord, as proposed by the Bill. The Committee recommended that the instalments should be monthly, but he would make them fortnightly. The proposal of the Government was almost entirely grounded upon the Petitions from the East of London and from Birmingham. Now, he could not see why the occupiers in these localities should have greater difficulty in paying the rate than those of Oldham, Sheffield, and Stockport. He had heard of one parish in the East-end of London where it had become a practice for an occupier never to pay a rate until he was summoned; consequently, the issue of summonses was no test whatever of the difficulty of collection. As far as he could see the right hon. Gentleman had yielded to Birmingham and the East of London, and the remedy which he proposed in the revised edition of his Bill was word for word the same as that recommended in the Petition of the Churchwardens of Lambeth. He would deal with it, therefore, as the proposal of the Churchwardens, and not of the President of the Poor Law Board. Now, he entirely objected to the allowances which were made to the landlords under a system of composition, for, while he pitied distressed occupiers, he wished to see every class of property paying a fair and full rate, nothing being more objectionable than to have a reduction proposed in a rate on any particular description of property. In Norwich, the reduction, in calculating the compound rateable value of low-class property, was so large as three-fourths of the gross value, and the consequence of so absurd an allowance had been, that when the Reform Act compelled the payment o the full rate, there had been greater difficulties in collecting it at Norwich than in almost any other town. More over, any exemption of small tenemen property from rating, or indulgence to i would offer great temptations for th erection of cottages not fit for occupation. The full rate could be obtained by the landlord voluntarily paying it, as had been done in 94,000 cases before the passing of the Reform Bill. This number had of course been increased since. But it might happen that the landlords would pay the full rate only for the best tenants, leaving the parish officers to collect from the bad tenants, who would then get excused on the ground of poverty; and if this was carried to any great extent, the landlords might raise their rents on account of these excusals, and thus make a profit at the expense of the parish. To prevent this the Committee had recommended that, when any occupier was excused his rates, the owner, after due notice, should become liable for two-thirds of them; and this deduction of one-third was not open to the same objections as the ordinary composition allowance, because it was made, not for a long term upon all small tenement property, but only for a single rate, in the case of occupiers so poor that the landlord would probably lose his rent from them. An established system of composition was also objectionable, because, as regarded the common fund or union charges, one parish which compounded would have an advantage over another that did not, as the charge on the latter would be calculated on its real rateable value, but on the former only on its reduced composition value. This system of compounding, which had become a principle of the Bill, was in all cases bad; it relieved a particular class of property of the payment of the full rate; and, if a perfect system, it would prevent compounding occupiers from taking a proper interest in local management. He was astonished to hear the hon. Member for Oldham (Mr. Hibbert) state that in his opinion compounding would create an interest in local affairs; but it was obvious that if a landlord regularly paid for a tenant, that tenant would grow careless as to whether the rates were less or more.

MR. HIBBERT explained that he had said the tenant would be enabled to take a part in parish affairs by having his name upon the rate book.

SIR MICHAEL HICKS-BEACH said, he did not dispute the tenant's ability, but the inducement to interfere. The proposition of the right hon. Gentleman, however, was especially objectionable, because it would allow compounding, which might be approved if confined to cases of tenements let for short terms, to be extended to cases of yearly tenancies of far too high a rateable value: £10 in the country and £20 in London were most absurdly high limits, for which he believed there was no necessity. The Birmingham witnesses who were examined before the Committee last year asked for £7 only; the Brighton witnesses asked for nearly the same, and Cambridge thought £6 would be high enough. But the whole system of calculating composition on annual value was bad, and he could not give his reasons for this in better words than those inserted in the Report of the Committee, on the suggestion of the Secretary to the Treasury (Mr. Ayrton), as follows:—

> "It may be observed, with reference to the practice of making the assessment of the owner depend upon the annual value of property, that where it is let to a tenant for a period co-extensive with that for which the rates are usually made, and the rent is reserved at periods when their payment is collected, the occupier stands in the same relation to the tax-gatherer as to his landlord, and is equally able to pay his rates as his rent. However small the rent may be, the rates will be small in proportion. While, then, there is no sufficient reason for affording any special facility for relieving the occupier from the personal payment of them, or the rate collector from the trouble of collecting them, there are very serious objections to making the collection of rates or their diminution or remission dependent upon some particular amount of annual rent. Any such limit must be most unequal and arbitrary in its application. It leads to various contrivances in the construction and letting of houses for the express purpose of turning the law to the benefit of those for whom it was not intended, and to other abuses. Your Committee, therefore, think that there is no necessity for making any exceptional mode of assessment dependent on the annual value of the premises rated, and that the collectors, under the arrangements they have suggested, will find no difficulty in collecting quarterly rates from yearly occupiers, however small their rates may be."

It was only necessary to add to this that houses let at high rents were sometimes improperly reduced, in calculating their rateable value, in order to get them within the limit of composition. He sympathized with the hon. Member for the Tower Hamlets, that he should not only have had one of his proposals, as to the quarterly collection of rates and taxes unanimously agreed to by a Committee, and then thrown over by the Chancellor of the Exchequer, but that he should have this other recommendation—that composition should not be paid upon any annual value—rejected by the President of the Poor Law Board. But even of those who approved of the old system of composition, there were few who did not admit that the allowances under it were excessive. Well, what were they under this Bill? Take a house let at 4*s.* per week. That would amount to £10 8*s.* a year. The right hon. Gentleman proposed to reduce this by 25 per cent for repairs and insurance, under the Valuation of Property Bill, and thus bring the sum down to £7 16*s.* This, again, under Clause 48 of the same Bill, he would reduce by 20 per cent on account of the aggregate payments of a weekly tenant, amounting in the whole to more than the house would fetch if let by the year—a deduction which had never been made before, but to which he had no objection; it would bring the value to £5 15*s.*, and from that would be deducted by the same Bill the rates and taxes, probably about a sovereign in this case, and the value would stand at £4 15*s.* From this there would be a further reduction of one quarter under the provisions contained in the Amendment placed on the Paper, so that the £10 8*s.* would be reduced altogether to some £4. The deductions, therefore, would be considerably more than the 50 per cent of the Small Tenements Act, and not far short of the 66 per cent which the President of the Poor Law Board had said the House could not possibly agree to. He did not see why the landlord should claim any deduction if he chose to pay his tenant's rates; of course, it had an appearance of justice when it was considered he paid for empty houses. But why should a man pay rates for empty houses? If it was considered right that the owners of all low-class property should pay the rates instead of the occupiers, he could see no reason against adopting the Scotch system, under which the landlords of houses under £4 in value paid all the rates without deductions; but it was not right in England, any more than in Scotland, to exact a rate from small tenement property when unoccupied, which was not collected from unoccupied property of a higher value. This payment of rate for all houses, whether occupied or not, was the real principle of composition; and to this he entirely objected. But the most important clause in the Bill was that which provided that the payment of a reduced rate by the owner on behalf of the occupier, should be deemed a sufficient payment of the rate to entitle the latter to the Parliamentary franchise. What was now proposed by the right hon. Gentleman opposite was precisely that which was proposed by the present First Minister in 1867, and which was the occasion of one of the most important debates and divisions on the Reform Bill. The right hon. Gentleman on that occasion proposed that the occupier should be entitled to vote, whether he in person or his landlord was rated to the relief of the poor. That was precisely what the President of the Poor Law Board now proposed to do. He proposed to do away with the personal liability of the occupier. It was very clear, if the tenant was a very poor man, and both he and his landlord were made jointly liable for the rate, that the liability would in reality fall upon the rich owner, and not upon the poor occupier. This was a change of great importance, and one which required careful consideration. Various plans had been suggested to meet the hardships which were alleged to have arisen under the existing system. It was impossible that all those plans could be discussed on the present occasion, but they could be very well examined if the right hon. Gentleman would consent that the Bill should be referred to a Select Committee. Then they might enter dispassionately and calmly upstairs into the complicated and difficult questions which were involved—questions so dry and intricate that it was very difficult to discuss them in that House. There was one thing which he wished to say before he sat down. He quite admitted that difficulties had occurred in some of the large towns, notably in Birmingham and the East of London, from the abolition of composition. He should be glad to do a good deal in order to remove this class of difficulties; but he did not think it was fair to allow Birmingham and the East of London to dictate to the House what should be the law of rating, not only for all other towns, but for the whole country. The present system, as he had said, had been very successful in many large towns, and he believed it would have caused less dissatisfaction in other places had it not been for political agitation and the action of landlords to which he had alluded. He believed every day made it better appreciated, and the distress which it occasioned less felt. What was wanted was a special remedy for a special case, and he believed that a Select Committee could better hit off the exact remedy than could be done by open discussion in that House. But, whatever settlement might be arrived at, he hoped it would be with a view to rating and not political action, because nothing would be more to be deprecated than, if in the midst of so many important matters which demanded the attention of the House, they should be led to revive those acrimonious discussions which characterized the passing of the Reform Act of 1867.

MR. SHERIDAN said, that the Bill of the right hon. Gentleman as it stood at first—and, indeed, the Bill as it stood now—did not satisfy him, and if he might attach any importance to the numerous deputations which had waited on the right hon. Gentleman with the avowed desire of inducing him to enlarge the scope of his measure, neither did it satisfy the country. He had received a great many communications from the country, and from many hon. Members on that side of the House, which led him to believe that his own Bill was preferable to the Bill of the right hon. Gentleman. But the result of the agitation was that the right hon. Gentleman amended his Bill. He had, in conjunction with those who took an interest in the Bill, very carefully considered the alterations proposed by the right hon. Gentleman, and the result was that his original view of the character of the right hon. Gentleman's measure had been very considerably modified. Those alterations had made the Bill nearly everything that the Liberal party wished for. It was true it did not restore compounding to the free and unfettered position in which it stood before the Act of 1867, but for all practical purposes it did restore compounding, and would answer the purpose which the House had in view. In his opinion, the objections urged to the measure that night might all of them be met in Committee. The right hon. Gentleman had made special provision for the political part of the question, and as the right hon. Gentleman thought that his (Mr. Sheridan's) Bill did not provide for it, he wished to disabuse his mind on that head, and to assure him that it did, though the Bill of the right hon. Gentleman provided for it in a more effective manner. If, therefore, the Bill of the right hon. Gentleman should receive the sanction of the House, he would withdraw that part of his own Bill which referred to compounding. It was rather late to talk of referring the Bill to a Select Committee. The measure would relieve a large body of the people from the suffering they experienced as the result of what he must call mistaken legislation.

LORD HENLEY said, he was glad that the Amendment had not found a seconder; and that the suggestion to refer the Bill to a Select Committee did not receive much approval. The towns which were suffering from the effects of recent legislation were pressing for relief, and it was high time that the House should take some decisive action on the matter. The hon. Member opposite (Mr. Corrance) was not quite correct in saying that the abolition of compounding arose from the Liberal party as a party. The House was exceedingly thin at the time when the hon. Member for Newark (Mr. Hodgkinson) brought forward his proposition as a private Member. After the hon. Member for Newark had made his speech, some communication was held with the Leaders on the opposite side, and then it was agreed, not by the Liberal party or the Liberal Leaders, but by a private Member on the Liberal side and the Leaders opposite, that compounding should be done away with. With regard to the operation of the change, a correspondent who was well conversant with the matter wrote to him to say that no one who had not witnessed the privations to which the industrious poor were constantly exposed could have any idea of the amount of distress and misery caused by the present system. In 1867 the summonses in the town which he represented (Northampton) had amounted to 1,617, and in 1868 they amounted to 3,672, showing an increase of 2,055. The distress warrants in 1867 were 422; and in 1868, 1,480, showing an increase of 1,058. The summonses were more than doubled, while the warrants had increased three-fold. And if that was the state of things when employment was plentiful and provisions were cheap, what was it likely to be when those conditions were reversed? The repeal of

Clause 7 in the Reform Act of 1867 would, perhaps, be the best remedy for the evil; but that was now out of the question; and, therefore, the wisest and most practical course would be to go into Committee and endeavour to make the Bill before them as suitable as possible for its purpose. He could not help thinking the deductions provided for by the Bill were too small; and he feared the measure would put both the owners and occupiers of small tenements in a rather worse position than they were under the old compounding system. It proposed that the franchise might be given either by the occupier paying his own rate, or by the owner making the payment of the rate, and sending in the name of his tenant to the overseers. The occupier would be liable for a larger sum than he would be liable for under the old compounding system, and the landlord might force him to pay in advance at an inconvenient time. Under the new system the reduction to be allowed must not exceed 25 per cent, whereas it was, in some instances under the old system, as much as 50 per cent. It was questionable whether a reduction of 25 per cent would be sufficient to induce landlords of houses under £6 rental to compound at all. In conclusion, he hoped that the Bill would pass, and that no further obstacle would be thrown in its way.

Mr. R. TORRENS said, he had come down to the House determined to second the Motion of the hon. Member for East Suffolk (Mr. Corrance); but the explanation of the right hon. Gentleman the President of the Poor Law Board had entirely altered the character of the Bill as originally presented to the House, and had made it a sufficiently satisfactory measure to warrant him in withdrawing the opposition he had intended to offer to it. He should deprecate any proposal to refer the Bill to a Select Committee, as the result of such a proceeding would be to shelve the Bill till another Session. There was a crying grievance to be remedied, and the House was already in possession of sufficient information to enable it to deal with the question.

Mr. LOCKE said, he felt very much rejoiced that they were likely to go into Committee on this Bill. It was trifling to say that the political part of the question was not to be introduced, because that had been the principal question for consideration. During the debates on the Reform Bill of 1867 that was the principal question considered, and it was thought that by the abolition of compounding the whole difficulty would be solved, whereas it was perfectly clear that it was not solved. So far from the Act of 1867 having increased the number of electors, in the parish of Bermondsey —the largest in the borough he represented (Southwark)—the number had actually been diminished. He would suggest an alteration in the Bill. Instead of the poor rate only being alluded to, the rates in general should be dealt with. No less than three or four rates were collected along with the poor rate, and it would, therefore, be wise to include them all in one category. If the right hon. Gentleman would refer to the Report of last year, he would find that the difficulties of the question might be very easily solved. A proposal had been made by the Secretary for the Treasury (Mr. Ayrton) that in the case of houses the rent of which was collected at shorter intervals than quarterly, both the landlord and the occupier might be placed on the rate book, and if the occupier did not pay the rate the landlord should. This would get rid of much of the machinery of the present Bill, and leave the matter for settlement between the landlord and the tenant. He should lay on the table some Amendments framed in accordance with this proposition, which he hoped might obtain the consideration of the House. The great object should be to make the Bill as simple as possible, whereas some of the Amendments proposed had introduced confusion into the plan. It would be advisable to have the Bill re-printed, with the Amendments proposed by the President of the Poor Law Board. If the Bill in its new form were placed before the House in an intelligible way there was no reason why it might not advance speedily and pass. It was absolutely necessary, however, that the political question should form part of the Bill. He did not see the necessity for referring the Bill to a Select Committee.

Mr. READ said, that if they were to have a further complication of the county system of compounding it would render the present almost unbearable anomalies of that system absolutely intolerable. As the Bill was to meet an exceptional grievance which had been brought on the Parliamentary boroughs, he hoped it would be confined to them.

Mr. BRIGHT: Sir, I was rather surprised at a complaint which seemed to be made by my hon. Friend the Member for Southwark (Mr. Locke), and also at an observation which fell from the right hon. Gentleman the Member for Newcastle (Mr. Headlam), to the effect, that this Bill, with the Amendments proposed in it, had not been sufficiently long before the House and the country. Now the Bill itself was brought before the House in the month of February, and the Amendments to be incorporated in it were laid upon the table before the Whitsuntide holidays. Therefore there clearly has been ample time for everyone interested in the matter to make himself acquainted with the intentions of the Government in regard to it. The object we have in view is a very simple one, and need not draw us into the whole question of rating, and several points raised by Members who have spoken. The object is merely this—to remove a great grievance inflicted on the poorer class of inhabitants in boroughs by the Reform Act of 1867. I shall not now go into any inquiry as to how that grievance was inflicted, or by whom. The action of parties was at that time very embarrassed, and somehow or other the compound-householder of the time was the victim of our difficulties. But what happened was this—that a system of great convenience, and which was constantly extending throughout the country, was summarily and instantaneously abolished, not at the request of any single town, or parish, or person in the kingdom, but because the House at the time was thereby relieved from a difficulty in connection with the question of the franchise. The grievance created was, however, very great—so great that I may assure the hon. Baronet opposite (Sir Michael Hicks-Beach) he is quite mistaken in supposing that if we were to put off the question for another year or two, this grievance would subside and be no longer felt. Perhaps I take an exaggerated view of the matter, because I have seen, in the town of Birmingham, a state of things most deplorable resulting from it, and one the effects of which I am sure will be felt in that borough for many years. Such was the action of the old system of compounding in Birmingham, that in tenements under £16 a year scarcely any person in that town ever paid any local rate. There were 36,000 householders in that borough whose rates were paid regularly and universally by the owners of the houses; and without a single person there asking this House to make a change, the House swept away the whole system, and brought upon 36,000 householders, some of whom were women, without claim to the franchise, an absolutely new tax. We know what local rates are; they are very heavy taxes, which come with great severity and hardship upon those who are least able to pay them. I need not describe the summonses, the warrants of distress, the disturbance and the rioting almost, the misery, occasioned by the change; but I think my constituents—and I speak in their behalf especially, though the people of many other towns are in the same position—have a right to ask the House either to give a strong, sufficient, and conclusive reason for the course it took in 1867, or else to provide a remedy for a grievance so unexpected and so severe. The hon. Baronet opposite suggested that, as there were only certain boroughs affected by the legislation of 1867, possibly some Bill might be adopted that would meet their case, and leave the rest of the boroughs and parishes in the country undisturbed. That, however, I think, would be very difficult. If the House were to attempt to legislate for Birmingham, Wolverhampton, Walsall, Brighton, Manchester, or any other borough, I think it would find itself in a difficulty that could only be got out of by adopting some such general measures as that before the House. We know the grievance exactly—we know how it was caused—to some extent we know its magnitude, and how it affects those on whom it has fallen. What, then, is the remedy which the Bill proposes for it? That up to the sum of £10 in all parts of the country, excepting London, and up to the sum of £20 within the metropolis, the authorities of parishes shall be permitted to arrange with the owners of houses conditions under which the owners should pay the rate, and in consideration of the owners paying it they should be allowed a discount of 25 per cent. The points of £10 and £20 may be too high, and I think it quite likely that £7 or £8 and £14 or £16 might be sufficient, but that is a question which may be fairly considered and discussed in Committee. So also with regard to the 25 per cent, I may mention as an illustration that in Birmingham, under an Act passed twenty years ago, applying to a portion of the town, houses under £5 were charged only 33 per cent—that is to say, a discount of 66 per cent was allowed to the owners. I have always thought that an excessive and unnecessary amount. At the same time there are many who think that in the case of the lowest class of houses it might be proper to make an allowance of 50 per cent. But whether there are to be two scales of allowances, one somewhat higher and one somewhat lower for different classes of houses, is a matter on which the Committee can decide; and whether the percentage is to be 25 per cent or 33 per cent, or some other figure, that also is a matter for the consideration of the Committee. It is obviously not a matter on which my right hon. Friend the President of the Poor Law Board would wish to be positive, because it must be decided by the general opinion of the Gentlemen who represent the boroughs to which this Bill is intended specially to apply. The old system is one which would have been revived exactly as it stood by the Bill of the hon. Member for Dudley (Mr. Sheridan); and the hon. Member for Hackney (Mr. Holms), who spoke from behind this Bench some time ago, disapproved in some degree of this Bill for this reason—he spoke, not as representing the whole country, but as representing the borough of Hackney, and he wished to have Hackney placed in exactly the same position as it was before the Bill of 1867—that those local Acts should be revived, with all their peculiar and exclusive powers; and those for whom he spoke no doubt preferred that they should be restored exactly to their old position, and not have their grievances remedied by a general Bill like that now before the House. I think, however, the House will come to the conclusion that, if we are to restore in any shape the principle of compounding, it is desirable that it should be done under a general Bill, and that the gross irregularities which formerly existed should not be permitted to revive; and that, while the discount allowed to owners of property is moderate as compared with some former cases, it should be made, as nearly as possible, regular throughout the country, and established on some basis that the house and the country will agree to be reasonable and right. Now, I have a very strong opinion that on a matter like this, if Parliament fixes a limit as to the value of a house and the discount to be allowed, that which is really best in every parish and every borough will certainly be attained by the judgment of that parish or that borough, and of the authorities by which their parochial matters are conducted. We have this shown in what took place before. What existed, even though it was regular, was a system that gave great and increasing discontent throughout all the boroughs in every part of the country. Therefore, having fixed these limits, I am perfectly content to leave the question whether this Bill shall take effect in any particular parish or borough to the authorities of the parish or borough, and to the opinion of owners of property and the general sentiment of the community. There is only one point more on which I will say a word, and I will address myself to hon. Gentlemen opposite as well as to those on this side of the House. One of the great difficulties in framing this Bill was to decide how the franchise which the Bill of 1867 professed to give, should be secured to the elector. It was necessary that his name should be on the rate book, and on the register. The clauses of this Bill are somewhat peculiar, and they show the extreme anxiety of my right hon. Friend, while making this change and restoring the system of discount, to secure to every householder the vote which the Bill of 1867 intended to give him. I might refer to the almost numberless deputations which have been to the Poor Law Board as showing the satisfaction of the country with the measure as it is now proposed. And my right hon. Friend has reason to believe that the Bill as it now stands, and with the Amendments which he proposes, will meet with the general support of all the leading persons who take an interest in this question in all the great boroughs from which he has received deputations. He has the greatest confidence that so far as they are concerned the Bill will be received in a cordial manner, and I think, after the discussion which has taken place to-night, it will receive the sanction of Parliament. As to referring the

Bill to a Select Committee, I have had a good deal of experience on Select Committees, and I suspect a Bill of this kind going to a Select Committee at this period of the Session would be in danger of not coming back in the shape of which the House would approve, or of not coming back in time for legislation this Session. There seems to be nothing in the Bill that the House in Committee is not easily competent to discuss and settle; and I have the greatest faith, when the Bill has been re-printed, and the whole scheme is seen in a complete form, that then the House will find that it is comprehensive, that it settles for ever, as I hope, the economic question, and that at the same time it gives perfect security to the franchise which the Bill of 1867 intended to give. I think I speak the sentiments, at any rate, of my constituents with regard to the general scope of the Bill, when I say, without binding myself to the exact sum named in it, that the Bill will be a complete remedy for the grievances which they have so often brought before the House.

MR. GOURLEY said, the Bill would not get rid of this—that by the decisions of the Revising Barristers and of the Judges many persons who paid poor-rates had no votes. As the Bill now stood persons who rented small cottages would have votes, whilst persons who occupied parts of houses, though they paid much more rent, would have no votes, in consequence of the decision in Stamper's case. In his opinion, nothing would satisfy the people but the establishment of household suffrage, pure and simple, without reference to the question of rates. He felt convinced that no legislation would be satisfactory to the country which did not at once and for ever repeal the rate-paying clauses.

MR. SERJEANT SIMON said, that if there was one question which more than another, after our policy towards Ireland, excited the interest of the constituencies at the last General Election it was that of amending the Reform Act. The Bill before the House provided a mitigation, if not a cure, of the evils which the country was now enduring in consequence of certain clauses in that Act. He was aware that the Government had quite enough on their hands at the present moment; but the people never would be satisfied without the repeal of the rate-paying clauses, the reduction of the county franchise, and the security of the Ballot. It was not enough to settle the economical part of the question; the people should have secured to them household suffrage, unhampered and unfettered by the restrictive system that at present existed.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow*, at Two of the clock.

REPRESENTATION OF THE PEOPLE ACT (1867) (AMENDMENT) BILL.

(Mr. Henry B. Sheridan, Mr. Gourley.)

[BILL 43.] SECOND READING.

Order for Second Reading read.

MR. SHERIDAN said, that this Bill had a two-fold object—to restore the compounding system, and to abolish the rate-paying clauses of the Reform Bill. He believed that the Government were in earnest in this matter, as was shown by the Bill which they had brought in to settle the question of the compound-householder. He had been induced to move the second reading of this Bill by the fact that many hon. Members had pledged themselves to the repeal of the rate-paying clauses; but, as the Bill just read a second time would accomplish one of the objects of this measure, as various other questions were at present occupying the attention of the Government, and as a private Member could scarcely hope to succeed in carrying through such a measure at this period of the Session without the assistance of the Government and of a large majority of the House, he desired to leave it to hon. Members to say whether he ought to proceed with the measure. He moved that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—*(Mr. Sheridan.)*

MR. GLADSTONE said, the hon. Member for Dudley (Mr. Sheridan) had stated that he would leave this matter in the hands of hon. Members, and as he (Mr. Gladstone) felt that he came within that definition, he begged to represent to the hon. Member that he would do wisely to withdraw the Bill. They had been engaged that night upon a question of considerable importance, even if they measured it only by the additional franchise that the Bill they had just been discussing would be likely to confer, but of still greater importance in reference to the removal of a pressing grievance. There were a number of points of detail in reference to that Bill which would require to be carefully considered in Committee; but upon the whole there had been a remarkable concurrence of opinion as to the main provisions of the Bill; and the opinions in favor of it were not confined to his side of the House, for two hon. Gentlemen on the other side had objected to it as not going far enough, and therefore they were supporters of the Bill and something more. He thought that the hon. Member for Dudley, who, as he knew, showed great sagacity in prosecuting his Parliamentary measures, would see that, with a task like that already before them, it would not be wise to complicate the controversy by importing into it somewhat doubtful points. There were a great many persons who cordially accepted the principle that the franchise ought to be separated from personal liability to the rate, and yet who entertained considerable doubt whether, in the case where they enfranchised the owner of every house, it was an evil that the payment of the rate by some person or other in respect of the property should be a condition of the franchise. In the Bill of 1866 the Government of which he was a Member undoubtedly proposed to abolish the rate-paying clauses; but that was at a time when they were only asking the House to agree to a very limited franchise; and although he did not wish to pronounce any very strong opinion upon the point at that moment, and indeed scarcely entertained any perfectly formed opinion upon the question whether it was desirable to retain the rate-paying classes in conjunction with household suffrage, so long as they took care that the rate should only be one in respect of property and should not be a grievance to the occupier, yet he was sure that the matter was so far open to controversy that any attempt to pursue it at the present moment would place a material obstacle in the way of the House carrying a measure on which they had set their hearts, and on which they were very much agreed. He trusted, therefore, that the House would not then be pressed to accede to the second reading of this Bill, but that it would be withdrawn, while it would always be in the discretion of the hon. Gentleman or of any other Member at a fitting time to challenge the judgment of the House upon the subject.

Mr. SHERIDAN said, he had been unwilling to take upon himself the responsibility of withdrawing a measure of so much importance; but after the remarks of the right hon. Gentleman he felt there was no other course open to him than to withdraw the Bill.

Motion, by leave, *withdrawn;* Bill *withdrawn.*

DIPLOMATIC SALARIES, &c., BILL.

(Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Stansfeld.)

[BILL 118.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 5 *agreed to.*

Clause 6 (Amounts of diplomatic pensions).

Mr. Alderman LUSK said, he objected to the amount of the pensions provided for diplomatists by this clause. He thought £1,700 for a first-class pension was too high an amount to award, when all that was required was that the first appointment to office should have been made only fifteen years previously, or when the aggregate length of service was in all ten years. He did not regard a residence in the capitals of France, Belgium, or other Continental States as any great hardship; and he could not understand why these pensions should be so very much larger, and be obtainable on so much easier terms than those which were open to members of other branches of the Civil Service. He trusted that the Government would consent to alter the figures 10 and 15 in the clause to 15 and 20. Unless the Government agreed to adopt that suggestion, he should be obliged to move an Amendment.

Mr. STANSFELD said, that practically the first appointment of a diplomatist under the clause, as at present framed, must date nineteen years before his being qualified for the receipt of a pension, inasmuch as he was compelled at starting to give four years' service as an unpaid attaché. There was not that discrepancy which his hon. Friend believed between these pensions, for the Diplomatic Service and the superannuations of the ordinary Civil Service, although it was true that the manner of awarding them was different, because the nature of the services was different. It was in the highest degree improbable that the first class pension would be awarded to any one whose term of aggregate service had not exceeded ten years. The figures, as they stood, were inserted, because the Bill was the result of a Resolution which was introduced, though unsuccessfully, some years ago, by the hon. Gentleman the Chairman of Committees (Mr. Dodson), and which was proposed last Session by Mr. Labouchere, the Member for Middlesex, and adopted by the House. The hon. Member must recollect that all future pensions would have to be provided for by the Estimates, and that he could then raise the question as to their amount. If the opinion of the House were unfavourable, it would then be incumbent upon the Government to amend the scheme and bring it into accordance with the feeling of the House.

MR. M. CHAMBERS said, he thought it was desirable when it was proposed to refer to or introduce clauses which were contained in other Bills, to recite such clauses word for word, so as to make the subject-matter of them completely intelligible. This Bill proposed to repeal certain Acts described by their general titles; but it was impossible, except on close investigation, to tell what those Acts were which were to be repealed. It appeared that after the commencement of this Act, the Treasury, upon the recommendation of the Secretary of State, might grant pensions to persons in the Diplomatic Department, such pensions not to exceed the salaries they received at the time their actual employment ceased. The following scale of pensions was laid down in the Bill—namely, £1,700 per annum for a first-class pension; £1,300 for a second-class pension; £900 for a third-class pension, and £700 for a fourth-class pension. Now this portion of the Bill had given much dissatisfaction, when it was considered how very differently the Government treated persons holding inferior situations in the public service when the question of superannuation was brought under their notice. At this time too, when the Government was discharging numerous public servants, high and low, from their service, on the ground that it was necessary to keep down the Estimates, persons were naturally induced to be very critical on the expenditure of the public money, and to feel dissatisfied with the granting of pensions of those considerable amounts after a comparatively short period of service. It appeared to him that it would be very desirable, under the circumstances, to revise those allowances. According to the explanation of the hon. Gentleman (Mr. Stansfeld) the length of service to qualify for those pensions would be nineteen years. Well, supposing a young gentleman got his first commission at twenty years of age, and served in that most agreeable of all public occupations, a paid attaché. After due time he would be advanced to the office of envoy or ambassador, and at the age of thirty-nine, when in the prime of life, and only commencing his career, as modern usage went, he would be pensioned off upon a salary, perhaps, of £1,700. The gentleman in question then would probably get himself returned to that House, and he would, of course, be found sitting behind the Treasury Bench, paid by the public as a politician. Now he (Mr. Chambers) thought that the length of the service should be extended, and that the party should not be entitled to his pension until he had passed the age of forty-five or fifty years. He could not help contrasting the treatment proposed to be given to persons in the Diplomatic Department under this Bill with that dealt out to the sailors of Greenwich Hospital. If it had been the practice formerly with the Government of this country to be lax and inconsiderate in dealing with the public funds in the interests of the higher class of public servants, it was certain that no such thing would be toleated at the present time, for the public now watched with the greatest attention the mode in which the revenue of the country was expended, and viewed with great jealousy any grant of public money that savoured either of extravagance or injustice. He should support his hon. Friend who sat near him (Mr. Alderman Lusk).

MR. ALDERMAN LUSK said, he had received no answer to the question, why there should be so great a difference in point of time between the period of retirement from the Diplomatic and the Civil Service? If the Committee were satisfied with the amount of the pensions proposed, he should not divide against them; but in the next clause he should certainly move an Amendment extending the time of service from fifteen to twenty years.

Clause *agreed to.*

Clause 7. (Qualifications for pensions).

MR. ALDERMAN LUSK said, he considered the extension of the period of service which he proposed only reasonable; and he thought the Government ought to concede the point. He would move that the word "fifteen" be omitted, and "twenty" inserted instead.

Amendment proposed, in page 2, line 31, to leave out the word "fifteen," in order to insert the word "twenty."—(*Mr. Lusk.*)

MR. STANSFELD said, he could not accept the Amendment. What was proposed by the Bill, was to take the diplomatic salaries and pensions under the existing conditions of service from the Consolidated Fund, where they were outside the jurisdiction of the House, and place them on the Estimates, where his hon. Friend might raise discussions as to their policy and amount on any future occasion.

MR. ALDERMAN LUSK said, he thought it would be cruel, when pensions were once granted, to be always discussing their reduction. They ought, in the first instance, to be very careful in what they did about pensions. He could not withdraw the Amendment, which he thought reasonable and fair, and he hoped Government would give way on the point.

COLONEL CORBETT said, he thought the proposal of the hon. Alderman a very reasonable one. Considering the length of time officers in the army had to serve before they were entitled to a pension, if those who belonged to the diplomatic body, after service in good climates, and all sorts of favourable circumstances, got their pensions, at the end of twenty-five years they were very well off. He should therefore vote for the Amendment.

MR. STANSFELD said, he must repeat that the object of this Bill, brought in to carry out the Resolution of the House, was not to modify the system or amount of diplomatic pensions, but simply to place them within the grasp and criticism of the House. The Amendment, therefore, of his hon. Friend (Mr. Alderman Lusk) was not reasonable or wise. If it were persisted in and succeeded he should be compelled to withdraw the Bill, and diplomatic pensions would not be voted from the Estimates, but remain charged on the Consolidated Fund.

Question put, "That the word 'fifteen' stand part of the Clause."

The Committee *divided:* — Ayes 93; Noes 29: Majority 64.

Clause *agreed to.*

Remaining clauses *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Thursday.*

METROPOLITAN POOR ACT (1867) AMENDMENT BILL—[BILL 53.]

(*Mr. Goschen, Mr. Arthur Peel, Mr. Ayrton.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [28th May], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

MR. W. M. TORRENS said, before the House consented to read this Bill a second time, he hoped they would consider whether it was just to lay upon the rate-paying community inhabiting the metropolis the peculiar burthens it would impose; and whether it was really for the benefit of the poor to adopt the novel and experimental mode of treatment which they were thus called upon to sanction. The two considerations were distinct, and he should deal with them separately and specifically. They were happily not antagonistic, and he trusted they would not be antithetically set against each other. The right hon. Member for the University of Oxford, when introducing the measure of 1867, which bore his name, had defined the duty of Parliament to be the taking care that the administration of the Poor Law was "in a manner just to those who find the funds, and merciful to those who receive relief." He accepted that definition cheerfully not as implying a balance of obligations, but as correctly stating that which it was their single duty to do. For he had no more deep and settled conviction than that the true interest of an industrious community like that in the midst of which they dwelt consisted in the preservation, as far as possible, of the physical health and strength of those who lived by labour; and that the best means of preserving the health of the poor, of lessening preventible disease, and of alleviating acute suffering, did not require a wasteful or excessive expenditure supplied by taxation. He was conscious, however, that in this two-fold aspect of what he felt to be a fundamental truth, many persons might not be altogether prepared to follow him; he would therefore deal with the two questions apart—the fairness of laying burthens absolutely unprecedented on a particular section of the community, wherewith to try experiments in relief equally unprecedented, and then the humanity of treating the sick and infirm poor in a way in which they never had been treated before. He was persuaded that on neither ground ought the present Bill to meet with the approval of the House. The House was asked by this measure to take a further important step in the same direction, in which, with considerable hesitation, they had advanced two years ago. Nothing could be more definite, precise, or clear than the estimate of cost which the right hon. Gentleman opposite laid before the House in 1867. Nothing could be more lucid than the statement of his intentions, or as to the figures which he then laid before the House. The right hon. Gentleman, yielding, as he said, to the pressure of the strong feeling of regret and anger excited by the neglect of duty by particular guardians in the metropolis, asked the House to put London aside from the rest of the parishes n England, and to apply to it a separate system. That was a strong measure, for they were asked to agree to a partial law; but he made the request on behalf of those who had no voice in the general representation, and the whole of he metropolitan Members, with the exception of the Members for Marylebone, accordingly voted for the Bill. But upon what conditions?—The right hon. Gentleman, by that measure, asked the House to allow him to spend, in case of xigency, £100,000 upon asylums for he imbecile and insane, £70,000 for those suffering from fever or small-pox, and £120,000 for what he termed district asylums—that was to say, hospitals or groups of parishes where the guardians should neglect to make proper provision. The extreme limit of what would be required was said to be £360,000, or at the most £400,000; but now the estimate reached what the right hon. Gentleman (Mr. Goschen) designated as the "frightful sum" of £1,400,000, and the difference in figures was equal to the difference in tone between 1867 and 1869. The righ thon. Gentleman (Mr. G. Hardy) exonerated thirty-five out of thirty-nine Boards of Guardians in the metropolis from blame, and frankly owned that they had done all that he had called upon them to do, while there had been but three or four exceptions, which a sensational Press had made the most of by turning as in a kaleidoscope to make a great show, highly coloured bits of abuse and rare samples of neglect. But now the President of the Poor Law Board (Mr. Goschen) laid a sweeping indictment against the whole body of London guardians, and summed up the catalogue of their misdeeds by alleging that the law to provide dispensaries had been deliberately and systematically thwarted and baffled by the wrongheadedness and selfishness of the guardians generally; and he was seeking to apply the exceptional expedients asked by his predecessor for exceptional use, as the rule of ordinary administration in all cases. This was in fact the principal plea on which they were now called on to substitute a ruinously expensive scheme of in-door relief for the sick and infirm, for the cheaper and better method of relieving these classes of the poor in their own homes. He (Mr. Torrens) had sought opportunities of asking the guardians to put their own interpretation on their own conduct, and they repudiated the impression the President of the Poor Law Board seemed to entertain, and which he had conveyed to the House; and in one instance they had adopted a strong Resolution, which had been embodied in a Petition to the House, contradicting emphatically the assertion that they had neglected their duty. In the Act of 1867 there was a series of clauses specially intended to provide for an improved system of dispensary relief throughout the metropolis, and it was only in case it was not provided and workhouses were not improved, that it was ever intended by the Government or the House to give the exceptional powers which were now indiscriminately claimed. A good example to be followed was furnished by the Irish Act of 1852. He had heard with astonishment the statement the other night of the President of the Poor Law Commission as to the paucity of the numbers relieved in Ireland under the domiciliary system. The right hon. Gentleman had sarcastically observed that however good in theory it might appear to him (Mr. Torrens), it would practically go but a very short way, for that the total number relieved out of 6,000,000 in Ireland by this means did not exceed 18,000. He turned to the Report of the Commission for 1868, which the right hon. Gentleman must have had upon his official table, and what did he find? not the sum stated by the right hon. Gentleman or twice that sum, or ten times that sum, or twenty times that sum, but as the House would hear with amazement a sum still greater by far. Instead of the number relieved under it being about 18,000, it appeared from a Return that in 1868 there were 572,000 cases, exclusive of 191,000 relieved by means of visiting tickets, making a total of 750,000, relieved at a total cost of £118,000. The efficiency of the system was proved by the fact that diseases, including fever and small-pox, which we found it difficult to cope with in England, had been almost stamped out in Ireland. If there was any Department of the State well served by its subordinates, it was the Poor Law Board; and, of its many efficient officers, none was more worthy of commendation than Mr. Lambert. In 1866 he was sent to Ireland specially to inquire whether the dispensary system established there would be applicable here. He reported that, having examined carefully the facts of the case, and the operation of the dispensary system in Ireland—

> "He considered it admirably adapted to the exigencies of large and densely populated communities, and did not hesitate to recommend that it should form an element in any scheme for the improvement of Poor Law administration in the metropolis."

Our position, then, was this—the Department having sent its most capable man to inquire into the operation of the system, he made a favourable Report, it was acted upon, and clauses to introduce the Irish system here were put into the Bill, which so far remained almost a dead letter. But he denied that the guardians had set themselves against the Act. He deprecated a further stride in the direction of providing for in-door relief until a Royal Commission or a Select Committee had inquired into the adequacy of the existing means. If £118,000 had been found sufficient for the treatment of preventible and curable disease in an impoverished population of 6,000,000, was it not reasonable to infer that half that sum might be made to go a great way in securing the same object in the richest and densest community of 3,000,000 in the world? Had not the rate-payers of the metropolis a fair right at least to demand that the experiment should be tried of improving and expanding the dispensary system before their property and income were irredeemably mortgaged for the erection of enormous buildings which, as he should presently show, were by no means certain to answer their proposed purpose. When the right hon. Gentleman came into Office in December last, he found anxiety and alarm everywhere throughout the town at the prospect of enormous outlay on brick and mortar with which they were threatened. He (Mr. Torrens) had given early notice that he would ask the opinion of the House, whether in the present depressed condition of trade and industry of all kinds, it was not the duty of Government to suspend further outlay on great asylums and hospitals until full and impartial inquiry should have been made into the existing accommodation which might be made available in the voluntary institutions for the reception of the sick which already existed in every part of the metropolis. That measure of precaution seemed to many so reasonable that for a time he cherished a hope that it would be adopted. But when instead of inquiry the right hon. Gentleman resolved to precipitate matters and to make another plunge blindfold into reckless and ruinous outlay he felt it to be his duty to devote what leisure he had, to apply such ability as he possessed, to search out the truth in this matter and to make himself acquainted as far as he could with the actual circumstances of the case. Speaking generally the result of his investigations was this—that though many individuals who were in need failed to obtain the medical or surgical relief they required, it was nevertheless true that ample accommodation existed for all acute cases of disease and accidents, and that it was not for want of skill or for want of suitable buildings that the suffering poor were not now adequately relieved. He cheerfully admitted the admirable character of the metropolitan hospitals, and he was far, indeed, from charging them with any dereliction of duty. He charged the Poor Law Department, irrespective of party, with not making available these magnificent institutions, which were sufficient to do all that was required, without our building palaces for idiots, or sick prisons at an enormous cost. He had personally inquired into the state of the hospitals in London, and he had found their wards and offices open to all who were prosecuting inquiry with a good purpose. He found from his inquiries that the eleven great or general hospitals contained 4,354 beds, the sixty-four special and smaller ones could furnish accommodation for 4,840; in all, 9,194 beds, and, taking the low average of ten patients for each bed during the year, it appeared that the hospitals could easily relieve 92,000 in-patients per annum. As a matter of fact, they relieved only 78,000, so that it was evident they had plenty of room in their wards to spare; and the managers of the various hospitals assured him they would be only too glad to receive pauper cases and charge the parish so much per bed for them. He asked for a permissive Bill, under the provisions of which this could be done. One-fifth of Charing Cross Hospital was empty; of Middlesex, one-fourth; King's College the same; Westminster, one-third; and St. George's, of which they had heard so much during the last forty-eight hours, had an entire wing, the site of which had been given by the Marquess of Westminster, which would soon be ready for patients. For the means to furnish and maintain this new wing urgent appeals had recently been made by a Royal Duke, an Archbishop, and other distinguished personages, yet the right hon. Gentleman desired to tax the people for another new asylum within rifle-shot of all these empty beds. If the House had no other fact before it, this alone should induce it to pause and direct inquiry to be made before proceeding to legislate further. He did not ask that his word should be taken; let the House appoint its own Committee and be guided by the facts and recommendations it presented. But, putting aside the rate-payer, and dealing only with moral and medical considerations, how did the propositions of the right hon. Gentleman bear the test of experience or forethought? Did the results of scientific inquiry, or of practical observation tend to encourage perseverance in the old way of aggregation? Was it true or was it the reverse of truth that the accumulation of large numbers, under the same roof, who were suffering from accident or disease was the best method of promoting their recovery? This was a very serious question; and it was one which he would not have felt himself justified even in raising had not the voice of warning reached him from all sides, and had he not been satisfied by comparing the testimony of the ablest and the best of men that a more excellent way of relief for the sick and suffering lay in their dispersion, and as far as it was possible in their separate treatment in their own homes. Dr. Sutherland, the valued physician connected with the War Office, had assured him in a letter that hospital treatment was not so beneficial as was generally supposed. He wrote—

> "I have no doubt myself that moral reasons are all in favour of home treatment, and I believe that, with the exception of special cases, there is a larger percentage of recoveries where sick are subdivided among separate dwellings than where they are removed in all stages of illness to a distant hospital, even although the surroundings and means of treatment may be greatly superior to those available in their own poor homes. The simple fact of bringing together a number of sick out of a number of separate rooms involves a new class of risks to all of them."

That, however, was a general statement, and he would now come to particulars. Not very long ago he spent a long and instructive day in Guy's Hospital. There was scarcely any form of human misery that he did not see in its wards, which he was bound to say appeared to him to be almost perfect in point of size, light, and ventilation. Nevertheless, what did he find? He conversed with Dr. Steele, the reporter of the establishment, and he asked that gentleman how mutual contagion was obviated. Dr. Steele told him that nothing short of individual isolation would obviate it. In his statistical tables Dr. Steele made this statement—

> "Notwithstanding all that has been done it is to be feared that morbific influences still remain to interfere and thwart to a greater or less extent the efforts of the medical officer. To allow patients suffering from the same or from adverse

> diseases to occupy adjacent beds in the same apartment, and to respire the same atmosphere in common, is an evil necessarily associated with every establishment for the maintenance of the sick, which can only be grappled with successfully by means, which on a large scale it would be practically impossible to carry out. These would naturally consist of a process of individual isolation, and the stamping out, so to speak, of every disease which showed the slightest tendency to traumatic or spontaneous infection, by providing a separate apartment, with separate attendants, utensils, and furniture for each person."

He found that fever patients were placed here and there among patients suffering from other diseases. The doctors did not dare to put all the fever patients in one building. They thought there was less danger from scattering them through various wards. In the face of that state of facts the Government proposed to spend a vast sum of money with the object of bringing a large number of fever patients together in one great hospital. He had visited King's College Hospital also. It was one of the newest and finest institutions in the metropolis. Formerly a large portion of the building was used as a lying-in hospital; but the best authorities were now against the system of having a number of midwifery cases in the same building. Dr. Priestly, of King's College Hospital, told him that if he had funds for the relief of such cases he would take the two-pair floors of about ten houses in one of the humble streets in the neighbourhood of the hospital, and fit up beds in them. He had been assured that in hospitals persons died of sheer despair, arising from seeing the dying and the dead in close proximity to them. But was this all? Sir James Simpson, of Edinburgh, had published some startling statistics in reference to the system of treating a large number of accidents in the same ward. He stated that of 2,098 cases of amputations of limbs treated in the homes of persons in Scotland and the North of England only one in nine had ended fatally, while of 4,937 treated in great hospitals in England and Scotland one in three had ended fatally. Dr. Holme-Coote, replying to Sir James, stated that out of 2,131 operations in St. Bartholomew's only one case in seven and a-half had ended fatally. Sir James Simpson answered this by saying that in the cases referred to by Dr. Holme-Coote there were many of amputations of fingers and of operations on the eye and the like, which rarely or never were attended with fatal results; but, that if only amputation of limbs were taken into the calculation, the facts against the hospital were still stronger than he had supposed, because, instead of one in three, one in two and six-tenths of the cases had been fatal. For the sake of the sick poor—discarding altogether the waste of the rate-payers' substance—he said, then, let the House hold its hand until they had mastered these facts, and they had been sifted and reported upon by a Royal Commission. He would refer to one more witness, whose testimony would be received with the respect which her name inspired — one who had devoted her life to hospital work — that person was Florence Nightingale—and let them hear her words—the words of truth and wisdom. She said—

> "I have come to believe that the hospital system is an intermediary stage of civilization—at the end of a life spent in hospital work to this conclusion I have always come—that the poor are better relieved in their own homes."

He could not go further than that to show the necessity for an inquiry by such men as the Government should choose to appoint. He now came to the question of district schools for children. The right hon. Gentleman opposite (Mr. G. Hardy) had proposed to take £40,000 for district schools, and now the contemplated amount had grown to £120,000. Now, he objected to the spending of a single farthing of that money. He said that these district schools were not what they wanted. It was not their duty to exonerate the separate localities from the charge of their own afflicted and their own youth; it was the duty of those localities to keep an eye over them, and it was not the business of the State to assist in huddling their children away in mobs to a great distance, where they would be out of sight. The right hon. Gentleman said that in the case of foundlings and orphans he would like to put them in separate schools. Even if they could be educated free from disease and from moral deterioration in that way, which they could not be, it would still be a misuse of power to attempt anything of that kind. The Poor Law authorities of Scotland had appointed assistant Commissioners to supervise and inquire during the last two years into the working of the opposite system in that country—the system, that was, of taking the poor children who were neglected through crime or misfortune, and placing them in farm-houses and other situations where they might form new ties and connections. Sir John M'Neil, the tried and trusted administrator of the Scotch Poor Law for many years, had given his *imprimatur* to the system of boarding out these children in farm-houses and elsewhere in Scotland, which worked well; and he summed up his testimony in favour of that humane and economical system by saying that these poor creatures seemed again to melt into society, and could not be distinguished from the children whose parents were living in the same localities. The children educated in workhouse schools, on the other hand, turned out badly as often as they did well. After appealing to the House not to take advantage of the fact that the 3,000,000 of people who inhabited London were represented by only twenty-two Members, to place the metropolis under a separate and exceptional law on these matters, the hon. Gentleman concluded by moving his Amendment.

Sir CHARLES DILKE said, his hon. Friend (Mr. W. M. Torrens) had treated the subject on what he might call the theoretical side. He wished to treat it from a practical point of view as a means of saving the pockets of the rate-payers, and he would show that on this side of the question also a change was most desirable. The right hon. Gentleman at the head of the Poor Law Board had spoken of the necessity of building Poor Law asylums, because the existing workhouse infirmaries were so small that the sick were lying in the corridors and on the floor. But for much of that the Poor Law Board were themselves responsible. He would illustrate this by a statement of the case to which his hon. Friend had already referred—the case of St. John's and St. Margaret's, Westminster, and St. Mary Abbot's, Kensington. So long ago as January, 1867, the surgeon reported that the sick wards at Kensington were overcrowded. The guardians admitted the crowded state of the workhouse, and prepared a plan for increasing their accommodation by 500 beds, but the Poor Law Board ordered the works to be stopped, inasmuch as legislation on the whole subject was contemplated. Nothing was done till January, 1868, and then by the guardians themselves, who, from the overcrowded state of the workhouse, were forced to erect some iron buildings. At the commencement of last year the amalgamation of St. Margaret's and St. John's, Westminster, took place, and land was purchased at great cost for a sick-house at the extreme end of Kensington. Plans and estimates were prepared for giving accommodation for 600 beds for the three parishes, at the cost of £100 to £130, instead of £40 a bed as formerly estimated. The Board, however, at present had not done what it had undertaken to do; the sick asylum had been stopped, and it was even doubtful whether the site was not to be re-sold. Probably the Poor Law Board would say they were thwarted in their wish to build a sick asylum, but he would ask whether they had not brought about the state of things of which they now complained. In a few months hence it might be found that the land at Kensington was not sufficiently large for the building of a sick asylum, so that next year they might find themselves in no better a position than they were in at present. No doubt the Poor Law Board thought their duty to be to look after the poor, and that the interests of the rate-payers ought not to be regarded as all in all. He ventured to suggest, however, that if the matter were inquired into by a Select Committee or by a Royal Commission there need be no fear either that undue regard would be paid to the interests of the rate-payers or that those of the poor would be neglected. On these grounds he seconded the Motion of the hon. Member for Finsbury (Mr. W. M. Torrens) for a careful inquiry into the system before the present Bill was passed.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the present condition of the Ratepayers of the Metropolis, and of the burthens laid upon them for the relief of the sick and infirm, it is not expedient to adopt any further measures of legislation until full inquiry shall have been made into the existing extent of hospital accommodation, and how far the same may be made adequate to meet the want of the sick poor not relieved in their own dwellings,"—(*Mr. W. M. Torrens,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GATHORNE HARDY said, that in 1867 he always felt that when the time arrived for carrying into effect the schemes then set on foot, there would be a considerable outcry in the metropolis on account of the expenditure which would have to be incurred. It was, indeed, but natural that this should be the case. The crying evils which were then brought before the House, and which invited and secured an almost unanimous assent to the passing of the Bill of 1867, had now to a certain extent passed out of sight, and those who at that time were greatly shocked and excited by what had occurred in different workhouses, were now thinking rather of the expense than of the evils proposed to be remedied. For his own part, he should always look back on the part he then took, and which the House was good enough to sanction, as one of the happiest incidents in his political career, inasmuch as he had been able to forward a scheme which, he believed, might serve as the foundation of something that was calculated to do good at once to the ratepayers and to the poor of this metropolis. It was quite true that the expenditure might have gone beyond what he had estimated, and, indeed, it might even have been more than was necessary. If such were the case the expenditure ought to be at once checked, though he trusted no expenditure would be checked which might be really required, as he felt convinced it would, in the long run, be as much for the interest of those who paid it as of the recipients. In estimating the expense that would have to be incurred under the Metropolitan Poor Bill of 1867 he calculated that it would be necessary to provide accommodation for 2,000 imbecile poor, who he might remark in passing did not come in the same category as the lunatics confined in asylums. No one doubted that the imbecile poor ought to be separated from the other paupers and placed on a different footing altogether. Well, he had estimated that the cost would be £50 for each imbecile, making a total of £100,000. This estimate was for the buildings alone, exclusive of sites, furniture, and fittings. He thought it would be a sufficient sum for the purpose, because he found that in twelve workhouses built in late years the cost had been only £30 per head; but it appeared he was mistaken, and his successors in Office had come to the conclusion that it would be necessary to erect buildings of a much more expensive kind than those he had contemplated. The buildings were to be in blocks, and instead of there being only two large buildings, as he had intended, there would be in reality no fewer than twenty. The estimate was now for 3,000 imbeciles instead of 2,000, which, of course, greatly increased the charge. With respect to district schools, the estimate made for additional schools was £40 per head for 1,000 children. This was for buildings alone, and there was also £30,000 for enlarging existing schools. It was now proposed to provide for 3,000 children. As to fever and small-pox hospitals, he stated his opinion that it was desirable to have inexpensive buildings, and that wooden or iron structures would answer the purpose. The cost of these he estimated at £70,000—1,000 patients at £70 a head. Then there was a sum which the hon. Member opposite (Mr. W. M. Torrens) had said was £120,000, but which was, in fact, £160,000, making altogether for these buildings £400,000. This was exclusive of sites, furniture, and fittings, and also, of course, estimated without reference to the increase in the rates of building which had taken place. With respect to the other items which the right hon. Gentleman had spoken of as making £1,400,000, it was not in his power to speak on points of detail. But whether or not a Metropolitan Poor Act had been passed in 1867 there would have been an absolute necessity for new or enlarged workhouses. In round numbers the number of paupers in metropolitan workhouses, in 1867, was 25,000, and the workhouses were even then excessively crowded; but now there were nearly 30,000 in the same workhouses, to which very slight additions had been made. Therefore we must look upon this not merely as a question of the sick and imbecile poor, but as a question of the poor altogether. Probably one of the chief causes of the great amount of metropolitan pauperism was that it was not possible to apply the workhouse test in the case of the able-bodied seeking relief. Owing to the numbers inside the guardians were compelled to provide out-door relief, and doubtless many of the recipients were able-bodied. He agreed with the hon. Member for Finsbury (Mr. W. M. Torrens), whose exertions to ascertain the facts entitled him to great credit, that it might be desirable, if it were possible, to separate the children and put some out in farm-houses; but in dealing with the masses of the metropolis it was idle to talk of this. On the other hand, was it justifiable to keep these wretched children mixed up with the inmates of workhouses? Was it not better to remove them to district schools? He had had opportunities of making inquiries respecting many of these schools, and found that great attention was paid to the care of the children, and at Stepney, for example, he found that the children were comfortable, clean, and well educated, and that those who had been sent out into the world from the school had turned out well in the main. Everyone who had read the comparison drawn by Mr. Tufnell, the Inspector, between the children in the district schools and those residing in workhouses, would say that, it being impossible to carry out the system which the hon. Member desired, the district school system in which the guardians generally took a deep interest, ought to be maintained. The hon. Member said he wished to see the dispensary system carried out, and the country was greatly indebted to Mr. Lambert for his Report in connection with this subject on the Irish dispensaries in 1867. He (Mr. Gathorne Hardy) believed that if the dispensary system were properly organized in the metropolis, the number of sick would be much decreased; but he was far from thinking that it would be decreased in such a proportion as to enable them to get rid of the necessity for additional buildings. He did not say to what extent additional buildings were required, but it was necessary to provide hospital accommodation for the destitute poor. It was idle to talk of treating them in their homes; they had no homes in which they could be treated. The places in which they resided were rooms in which three or four families were huddled together, and how could they be tended there? The hon. Member spoke of lying-in wards, and no doubt the deaths in the lying-in hospitals were out of all proportion to the deaths of women confined at their own homes or in the workhouse wards. There had been 10,000 cases, he believed, in the Marylebone Workhouse, and only one death. Owing to the greater isolation there, the proportion of recoveries was in favour of the workhouse hospitals as against the lying-in hospitals, and this, no doubt, showed that there should be some separation of persons in this particular condition. But you could not treat these wretched women in their crowded homes. With regard to London hospitals supported by voluntary subscriptions or endowments, it appeared to him that they were not meant absolutely for the destitute poor, such as those who came into the workhouse. Then, too, the number of cases treated in the hospitals was far greater, and the cases themselves far more severe and aggravated than those treated in the workhouse sick wards. In the latter scarcely any wounds or accidents were treated, and there gangrene was not found. Such cases were taken to the hospitals, where, therefore, that particular disease prevailed. But the class of people treated in the hospitals and in the workhouse wards was also wholly different. Many of those in the sick wards of the workhouses were people afflicted with chronic infirmity, who required constant care and attention, but who would hardly be admitted into hospitals; and it was for this reason he had proposed a clause to establish medical schools within the workhouse wards, which would be of great advantage in familiarizing the younger students with a class of cases which scarcely ever were brought before them in the hospitals. These hospitals were not meant to relieve the poor rates. There was abundance of sickness and suffering to be treated there without resorting to the destitute poor in order to fill the vacant beds. Those beds were vacant, not from want of sick, but from want of funds; and the destitute poor could only go there by excluding those who wanted relief as much as even the class of workhouse sick. He could not imagine any persons more deserving of such relief than working men visited by some unforeseen sickness or accident, or by some similiar visitation to any member of their families. No one could wish that such persons should become paupers and have to resort to the workhouse sick ward; and it was a greater charity to keep the hospitals open for them than to relieve the parishes by putting the sick and destitute poor into these hospitals. Leaving, then, the details to those who had devoted more attention than he had been able to bestow on them, he would say that he was in favour of the Bill of the right hon. Gentleman. He did not think it was wise that, two years after the House had unanimously agreed to a Bill, and just as the machine was being put into operation, they should take it to pieces to see how it had been made; and he thought that those who supported the measure of 1867 should support the plan of classification and amalgamation which the right hon. Gentleman was now trying to develop still further: If that were done, utilizing all existing buildings and classifying the poor, you could also classify the masters, and employ those best adapted to the work in dealing with sturdy, insolent vagrancy, while those who were better fitted for dealing tenderly with the infirm and aged should be employed in that way. He was not afraid to trust any right hon. Gentleman at the head of the Poor Law Board with a large discretion in these matters. Such a Minister was responsible to the House and the metropolis, and he might be left to deal with the questions as they arose. As to the arguments of the hon. Member for Finsbury, who evidently had carefully looked into the details of the question, and who was an advocate of whom no part of the metropolis need be ashamed, he did not think they were conclusive, for while the hon. Member had pointed out that the wards of the large hospitals in London were liable to particular kinds of disease, he had recommended that the destitute sick poor who were free from those diseases should be placed in these very wards. He hoped the House would not draw back in the career upon which it had entered. Let it do its utmost to put down with a strong hand that which he believed to be the curse of the country—the wilful pauper—the pauper who would not work, and who degenerated into criminality unless his very inertness prevented him. That class, he was sorry to say, was growing in this country, and if not dealt with firmly, would over-ride the country and bring down calamities upon it. His advice, therefore, was, to clear the workhouses proper of the sick and infirm, and place those institutions upon such a footing as to deter persons from going to live there upon the industry of their neighbours. Let the House show that it was determined to put down that class of pauperism with a high hand; but let it at the same time show the utmost tenderness, mercy, and goodwill towards those who were suffering under unmerited calamity.

Dr. BREWER said, if even he had not been chairman of the Metropolitan Asylums Board—the first and most important Board constituted under the Act of the right hon. Gentleman the Member for Oxford University (Mr. G. Hardy)—a Board which seemed strangely enough to have fallen under the ban of the hon. and learned Member for Finsbury (Mr. W. M. Torrens), he should still have been anxious to address the House on this critical point of the question, which had been brought before the House by the Bill of his right hon. Friend the President of the Poor Law Board, inasmuch, as having devoted twenty-five years of his life in the attempt to carry out practically the working of local self-government—to the lowly ambition of mastering the detail of parochial management, whether constituted under legislative sanction, or methodized by voluntary associations—he had not simply interested himself in what he believed a useful work, but given some guarantee of experience—still he trespassed on the indulgence of the House with hesitation—greater hesitation than he should have felt, perhaps, had his knowledge of the difficulties inherent in the subject-matter been less and his confidence been greater in the sufficiencies of the means to cope and grapple with these difficulties which had been presented to the House by his right hon. Friend. He believed this House was hardly likely to regard this as a mere metropolitan question; and, therefore, one in which, as a whole, it had little concern and less interest. They were not dealing with a matter of local but of Imperial concernment, and he warned the House that they were not at the tail-end of a transition state, gentle and progressive, of social government, but at the snout-end of a fierce and bitter struggle—a struggle between a new, hitherto untried system of centralized social government and an old system—the most ancient and once the most popular of all systems, although lately fallen into disfavour of all existing governments; and he would remind the House that the greatness of that change, especially regarding the state of opinion and tone of thought which underlied the demand for that change, rendered it impossible that the system advocated could be confined to this metropolis, but must eventually, and at no very remote period, extend to every township in the country. Questions of local taxation had become questions of Imperial magnitude, for within living memory the whole Imperial revenue was less than the sum they annually collected for local government. Already the Legislature had, by the passing of the Houseless Poor Act and the Poor Law Amendment Act of the right hon. Gentleman the Member for Oxford University, made great strides on the road to centralization, between which system and local self-government there existed not only diversities of feature, but an antagonism of principle. The essential character and efficiency of local administration consisted in local knowledge and local supervision. If they extended the area of local action and responsibility beyond the area of individual knowledge, local self-government lost its characteristic limitation, and *ipso facto* ceased. But it would be asked why local guardians, ceasing to possess their original power and responsibility, should in a subordinate condition assume an antagonistic attitude towards a central authority? The answer seemed to him, he confessed, most natural. By the operation of the Act of 1867 the local guardians were not placed under the operation of fixed and known laws, to the admininistration of which they were invited by the Legislature, but under the arbitrary impulses of a central power which issued its edicts, according to the shifting policy of every varying controlling head, to unpaid unrecognized local agencies, who had no motive for obedience, and who in the nature of administrators with undefined rules of action had ever-recurring provocations to disobey. Every motive which influenced men opposed harmonious action between a central and local authority so circumstanced; the love of power was outraged, the sense of personal respect lowered, and the exercise of functions of usefulness humiliated. But, as if to render the breach wider, by the operation of the Act not only was the relation of representation to taxation disregarded, but actually an antagonistic interest fostered between the tax-spender and the tax-payer. For parish A collected rates from its constituents for parish B to spend, and parish A had no provision made in the Act of 1867 to send a single representative to control by his vote the expenditure of parish B; and to give the vagary the most reckless name also, it gave to this rate the appellation of the Common Fund. It was argued that, although parish B spent the rates of parish A, yet it spent its own money also, and that was sufficient virtual representation; but statesmen whom this country had delighted to honour had left it on record that to divest the expender of the control of the contributor, or even to diminish the directness of that control, was prejudicial to the liberties and subversive of the principles of constitutional government. But the reply was that the Poor Law Board was the receiver and the distributor in the cases of both parishes; but that was no atonement; the broad fact remained that a revenue of Imperial magnitude was collected and expended by persons over whom the tax-payers had practically no control. It was impossible that the House could long continue a system so unconstitutional in principle and so profligate in practice—the House would never sanction the divorcement of representation from taxation. If the House had determined an extension of the area over which taxation was to be expended, it would correspondingly extend the guarantees for constitutional control over no less an area. But it came as a practical question, what course was he prepared to support? and at once he said he could not accede to the Amendment of the hon. and learned Member for Finsbury. Whilst opposition to the Act of the right hon. Member for the University of Oxford was a practicable thing, he, and those who acted with him, did all in their power to resist it; but when the Legislature of this country, by an irresistible majority, passed that Act, they thought and felt that the time for opposition was gone, and their duty was, as good citizens, to use their best endeavours to give effect to the provisions of that Act; and believing, as he did, that the moral of our Legislature was *nulla vestigia retrorsum*, and that they were far on the road of a new system of social legislation, no other course was open to them than that not simply of obedience, but of co-operation. He did not deny—they never did deny—that the position of the right hon. Gentleman was an arduous one, and that the objects were a real social exigence, and a means to meet that exigence was, therefore, a necessity. Local government had, undoubtedly, disclosed many defects resulting from the altered character of the applicants for poor relief, and the increased demand for the treatment of the day-labouring class suffering under contagious disease and disabling sickness. Local government had to deal also with altered circumstances, arising from the increased requirements in the management of the sick, of space, and sanitary precautions. A number of harmless lunatics and imbeciles, amounting to nearly 3,000, had to be provided for. These were either in county asylums, built and maintained at great cost out of county rates, and necessarily furnished with means and appliances out of character for such a class; or these poor helpless ones were found in out-wards of union workhouses, but where, requiring some special treatment, they were not simply an expensive charge, but their presence acted prejudicially to the discipline and management of the other inmates. All these cases demanded to be dealt with, and there were but two methods of dealing with them—either by extending the powers of local boards, or by creating a new machinery. The Legislature adopted the latter course; and, now the matter was settled, he was willing to admit that the system adopted was a less expensive and a more uniformly efficacious means, though he opposed its adoption and introduction. But now, strangely and inconsistently enough, came the Amendment of the hon. and learned Member for Finsbury, a member of that committee outside that House, whose vehement, and he must add unscrupulous agitation, was mainly responsible for the heedless haste with which that Act was passed. He asked how it was that the hon. and learned Gentleman had let go by the golden opportunity when the measure was passing through that House, and had preferred that sterile thing an *ex post facto* discussion? How was it the hon. Gentleman was so innocent of the facts he had that night brought before that House? Not a danger he had deprecated, not a scene depicted, not a hardship exposed, not an alarm sounded, which the metropolitan guardians did not bring prominently before the country in their meetings at St. James's Hall. There was no excuse for the hon. Gentleman not knowing that the measure of the right hon. Gentleman would deal a death-blow to local self-government; where was then the voice which should here have been raised, not to avert the needful reformation, but the total destruction of that system he pretended to regret? By the course taken in the Act the whole metropolis was formed into a district from all parts of which a board was constituted, consisting of sixty members, forty-five being the representatives of local Boards of Guardians, and fifteen nominated by the Poor Law Board. Of that Board, of which had the honour to be chairman, he bore testimony that their zeal and patience, their assiduity and accurate knowledge of the subject under their management were worthy of all praise. The first duty of that Board was to ascertain the nature and extent of the duty committed to them. By careful investigation they found that the number of lunatic imbeciles to be provided for was 3,000, and the number which could be economically and safely housed in one institution did not exceed 1,500. The right hon. Gentleman imagined that these imbeciles could be provided for in some huge building, but science had long ago utterly condemned such erections. They were, therefore, compelled to build all their hospitals and asylums on the pavilion principle, an excellent example of which hon. Gentlemen would see opposite the House in which they were sitting. Two large pavilion asylums had, therefore, to be constructed; one at Leavesden on the north, the other at Caterham on the south, and these asylums were now in process of erection. Besides those, they were responsible for providing hospitals for from 2,600 to 3,200 cases of small-pox, and 4,500 cases of fever; the Liverpool Road Hospital, in 1866, having received under parish orders 3,342 fever-stricken poor. But that estimate would have been incomplete unless they could have arrived at some conclusion on the relative proportion of fever cases sent from different localities to the fever hospital, and the nests and hot-beds of contagious disease. The result of that investigation, coupled with the desirability that no case labouring from disease should be sent a distance much exceeding three miles, forced on them the necessity of selecting the sites which had been mentioned and commented on in the House. Strange, indeed, must it sound to the ear of men of ordinary experience that men or women labouring from infectious disease were more safely treated at their own homes. Was it so? Did the hon. Gentleman mean to treat a case of scarlet fever or small-pox in the crowded garret of the day labourer, with his wife, children, and perhaps a lodger, all confined to the four walls of one miserable chamber? Why such a course would endanger the infection of the whole metropolis. The great object of medical science was to find out the hot-bed of fever, and circumscribe it; and the way to do that was to remove the patient to some contiguously suitable asylum. Local self-government was gone. They who fought for its existence asked, now the country had pronounced against it, no dawdling or irresolute scheme. They asked for a bold hand and a resolute policy—a policy which would inaugurate a better system—more suited to the age —a system which would utilize the rates, protect the tax-payer from extortion and fraud, and the deserving poor from the njustice of designing knaves who devoured the substance set apart for them, and alienated that sympathy which their sorrow so justly challenged. Let the system be such as would teach the idle and improvident the necessity of adopting different habits; such as would render assistance to the infirm and aged, and see that the wants of sickness and of childhood were better provided. Let it be such as would inculcate habits of industry in the rising generation; above all, give to the natural guardians and rotectors of the poor the assurance that he reproach they vainly sought to avert nder the old system had been rolled away, and that whilst the rates were ither diminished or increased—either had been effected without one single act which tended to demoralize or to oppress he really destitute and deserving poor.

SIR MASSEY LOPES said, he objected to the principle of this Bill, as he id to that of last year. The President f the Poor Law Board had, on moving he second reading of the Bill the other ight, made one or two statements which surprised him, and must have reated a sensation not only in the metropolis, but throughout the country. In the first place, the right hon. Gentleman told them that the Bill would compel an expenditure of £1,500,000, which was precisely the amount which had been expended in the metropolis on those objects since 1834, when the Poor Law came into existence, The second statement was that, within the last three years, pauperism in the metropolis had increased from 40 to 50 per cent—from 100,000 to 150,000 persons—and that the expenditure had increased in the same ratio. Well, in the teeth of that the right hon. Gentleman asked the rate-payers of the metropolis to expend another £1,000,000. The right hon. Gentleman then went on to say that he did not consider pauperism a matter of merely local interest. In that he agreed with the right hon. Gentleman; it was a matter of national interest. It was not only a matter for the rate-payers of the metropolis, but of every town in the country. It must not be supposed that the metropolis was most heavily burdened for the relief of the poor. He would give a few of the amounts paid by some of the towns in this kingdom. Salisbury paid 7*s.* 10*d.* on the rateable value; Leeds, 7*s.* 7½*d.*; King's Lynn, 7*s.* 2½*d.*; Norwich, 7*s.* 1*d.*; Southampton, 7*s.* 0¼*d.*; Great Yarmouth, 7*s.*; Plymouth, 6*s.* 10*d.*; and Stoke Damerel, 6*s.* 5*d.* What were the rates in the metropolis? In Bethnal Green they were highest—5*s.* 3½*d.*; in St. George's-in-the-East, the poorest parish in London, they were 4*s.* 8¾*d.*; in the City of London, the wealthiest part, 1*s.* 4*d.*; in Paddington, 1*s.* 6¾*d.* These figures showed that, in fact, the poor rates of the metropolis were not nearly so high as those in some of the large provincial towns. Indeed, the Bill was the thin end of the wedge; it would be a precedent for all other towns. The present Bill was for a consolidation of unions, while that of last year was simply for a classification of paupers, and, therefore, there was a great distinction between the two. The right hon. Gentleman, when bringing forward this measure, confessed that the rate-payers of the metropolis would object to it, but said the public at large were so interested in the question that they would disregard the opinion of the rate-payers. Who were the public at large? Did they contribute to those large burdens? On what principle but the majority principle could the public at large be allowed to interfere in the question? What constitutional right had they to interfere in it? It was easy to be philanthropic at other people's expense. The test of a man's sincerity in the welfare of others was whether he would make pecuniary sacrifices in order to relieve them The great hardship of the poor rate was that it was levied on one description of property. The ratepayers of the metropolis admit the necesssity of this expenditure, but they say—"Our burdens are already intolerable. Why are we to bear these charges, which are for the benefit of the community at large, singlehanded. You who are owners of other property are equally interested; if you are prepared to bear your fair proportion, we will no longer murmur, but co-operate with you in promoting such needful and desirable objects." There were men in the metropolis with tens of thousands a year from rent-charges and ground-rents who did not contribute to the poor rate; and there were lodgers living in every luxury who did not contribute to it, while poor shopkeepers and householders were taxed. Lord Overstone stated that there were £150,000,000 a year of capital accumulated yearly in this country. Why should not that capital contribute its proportion to the maintenance of the poor? Why should this description of property be exempted and go scot free? It was an unjust privilege and impolitic exemption. He objected to what was called the amalgamation of unions and to the enlargement of areas, because all this meant a loss of local control and local self-government. The large unions would be cumbrous and unmanagable, and every parish would help itself to as much as possible out of the common fund, and thus there would be no economy and little efficiency. The Government were pledged to bring forward the whole question of local taxation, and, therefore, he thought it premature and wrong to pass such a Bill as that now before the House.

Mr. SAMUDA said, his experience as an employer enabled him to say that the working people valued the large hospitals very much, and that, as a rule, they came out of them in a much better state than if they had been treated in their own homes. As a governor of the London Hospital he could state that the poorer classes were so anxious to avail themselves of the treatment in that and other similar institutions that the governors found it necessary to enlarge them from time to time, and in some cases could not provide sufficient accommodation for the applicants. It might be a disadvantage to bring a number of diseased persons into one building; but there was no advantage without a drawback. He believed that this Bill, instead of making the taxes on the metropolitan district heavier, would tend to lighten them, inasmuch as, the workhouses now being crowded to suffocation, out-door relief was widely given without the possibility of testing the fitness of the recipients. The amount asked for now was indeed larger than in 1867; but it was shown to be absolutely necessary that they should adopt some such plan as that proposed by the President of the Poor Law Board for separating the different classes of the poor, and all that the House could do, therefore, was to watch the expenditure in Committee, and keep it, as far as possible, within reasonable limits. Instead, however, of the estimate of £50 a bed given by the right hon. Gentleman opposite for accommodation in lunatic and infirmary wards, his experience led him to believe that the probable cost would be much nearer £150. One of the main advantages of the Bill was that it pointed to a general equalization of poor rates throughout the metropolis. The capitalist and the labourer no longer lived as they did at the commencement of the present century, in the same portions of the metropolis; but, as this change had been made in the interests of all, there was no reason why the wealthier classes who benefited by the arrangement should not contribute to the support of their poorer fellow-citizens, as they did formerly when residing in the same parish.

Mr. W. H. SMITH moved that the debate be now adjourned.

Mr. GOSCHEN said, the subject was important, and hon. Members naturally desired to speak upon it; but as the Session was now getting on very fast he hoped the Bill would be read a second time that night.

Mr. W. H. SMITH said, he was sorry to have the appearance of opposing an important measure. The hour, however, was really very late; only two or three Members for the metropolis had yet spoken, and several were anxious to do so; and as the measure was one involving a large amount of taxation and a great enlargement of the powers of the Poor Law Board, he thought his proposition was really not unreasonable.

Mr. BRUCE said, he was sorry to put pressure upon the hon. Gentleman, but as the House would, in any case sit until two o'clock in the morning, the debate might as well be continued.

Mr. SPEAKER said, that unless the hon. Member for Westminster (Mr W. H. Smith) proceeded with his address at once he would lose the opportunity of speaking upon that stage of the Bill.

Mr. W. H. SMITH said, that yielding to what seemed to be the general sense of the House, he would withdraw his Motion and address himself to the main question. He contended that if the proposed buildings were erected an increased charge would follow for the maintenance of the asylums for the relief of the insane poor already in course of erection. There were to be not only fever hospitals, but district infirmaries to contain 3,000 patients, at a present estimate of £300,000. No such hospital had, however, yet been constructed at £100 per bed. Hospitals built under the voluntary principle, and which proposed the cure of the sick poor usually cost from £200 to £300 a bed. The estimate, therefore, appeared to him to be greatly below the mark if six infirmaries, with 500 patients in each, were to be erected. Another consideration was the cost of the beds when they were once provided. His impression was that if additional provision were made, additional persons would appear to claim it, and that there would be found to be involved a permanent cost of £30 or £40 per bed per annum. No wonder, therefore, that alarm was felt in the metropolis at these enormous figures. There was, in fact, a want of confidence in the Poor Law Board, which rendered the taxpayers of the metropolis unwilling to place greater powers in the hands of that Board. This was not to be wondered at when the head of that Board was changed with every Ministry, and not unfrequently during the existence of the same Ministry. There had been for some time the want of a regular, persistent and persevering policy on the part of the Poor Law Board, and a strong desire existed throughout the metropolis that the administration of the Poor Law should form the subject of a careful and deliberate inquiry. The right hon. Gentleman now at the Board had not yet had an opportunity of mastering all the details of the question, and hence, probably, the vacillation and uncertainty in the administration of the office which had existed during the last three or four months. He did not doubt that Parliament would be obliged to widen very largely the area of administration so far as the existing workhouses were concerned. It would be necessary to separate more completely the able-bodied from the infirm, and the children from adults. On the other hand he was satisfied that the only true system of administering out-door relief was by making it as much as possible local in character, so that those who administered the relief might bring to bear upon it that personal and local knowledge which was found so advantageous in country districts. What was wanted was a street to street, and almost house to house, visitation, for the purposes of out-door relief. The expenditure would thus be greatly lessened by the elimination of cases undeserving of relief. There was, however, the danger of the loss of this personal supervision under the system of amalgamating large unions. He was also apprehensive that when large hospitals were substituted for the present workhouse infirmaries, and when large numbers of sick were congregated in them, they would be found to be as unhealthy and dangerous as some of the wards of the great London hospitals. While they all desired to help the suffering and deserving poor, it was equally desirable to discourage pauperism and prevent the honest and prudent working man from being taxed and compelled to provide comforts for the idle and improvident which he was unable to obtain for himself. He did not wish to impede the erection of these asylums and fever and small-pox hospitals; but it was well worthy the consideration of the House whether the Poor Law administration in the metropolis was as satisfactory as it ought to be and whether it tended to discourage pauperism. The rate per head for the London paupers greatly exceeded that for the rest of the country it being 8*s*. 4*d*. per head of the population of London, and 6*s*. 6*d*. throughout the whole of the country. To that 8*s*. 4*d*. per head must be added the interest of the capital sum employed in the proposed buildings, which would amount to a further sum of 7*d*. or 8*d*. per head. There was a large portion of the pauper population of London which was not the pauper population of London alone, but was, in fact, drained from the whole of England. In behalf of the metropolis, therefore, he protested against that charge being imposed on the rate-payers of the metropolis alone. There were other sources of taxation—possibly even the Consolidated Fund—which ought first of all to be tried before imposing so heavy a burden upon the metropolis.

Mr. D. DALRYMPLE said, he thought a well-arranged dispensary system in London would answer perfectly, but only as a subordinate part of a system where good and efficient hospitals existed. Dispensaries would meet the minor cases, which formed the commencement of pauperism; for a large portion of the pauperism depended on the head of the family being thrown out of employment through illness; but nothing could be so disastrous or costly as in a great city to adopt any system of dispensary treatment for every kind of disease. He very much doubted whether the statistics of the hon. Member for Finsbury (Mr. W. M. Torrens) would bear strict examination. For instance, there were amputations and amputations; and those cases which involved little trouble and no risk should not be compared with or included in the list of those serious cases in which the illness which had led up to the amputation produced half the danger. He did hope that those who had charge of the expenditure would exercise the greatest vigilance and economy. He was perfectly staggered when he heard the President of the Poor Law Board talk of the cost per head of some of the proposed buildings. He could not help fearing that there was to be an outlay for architectural display, which was wholly out of place. He hoped that the estimates before the House would be considerably cut down. The patients should be comfortably and reasonably housed and attended to, and not lodged in a luxury and semi-splendour to which they had never been accustomed.

Mr. GOSCHEN said, it was from no want of respect to his hon. Friend the Member for Finsbury (Mr. W. M. Torrens) that he would not at that hour attempt to follow him through that most able speech to which they had all listened with so much interest, to show in what points his hon. Friend was mistaken, but also to show the many points in which he entirely concurred with him. He was mistaken if he thought that the Poor Law Board discouraged dispensary treatment. That very Bill contained clauses to enforce it. They found the machinery inadequate; they were anxious to carry it out, and if the House passed that Bill, when he had to give an account of his stewardship next year, the erection of those dispensaries and the improvement of the system of out-door relief would be among the things which he hoped he should have been able to accomplish. But he agreed with two or three hon. Members who had addressed the House that it was impossible to hope to empty the workhouses in the metropolis by any carrying out of the dispensary system. And he might say the same with regard to schools. If they could manage to place orphan children in large numbers, and afterwards draft them into the population it would be done; but it was better to have the children in district schools than in any workhouse school. Then, again, the fever cases would have to remain in the workhouses if there were not fever hospitals. He agreed that it was better to have perfect isolation, but they could not have isolation in fever cases in the metropolis. But would they leave fever cases in the workhouse; or would they treat them in cottages? It was impossible to do that. There were thousands and thousands of cases that could not be treated with any hope of recovery in their own homes. Acute cases and chronic cases must be treated differently. If his hon. Friend would introduce clauses by which arrangements should be made authorizing guardians to send their worst cases to hospitals they should be taken into consideration. He wished to utilize all the space in hospitals that could be used. Then, as to expense, it seemed to be thought that this Bill was intended to authorize the Poor Law Board to spend £1,500,000, but that was not so. At present the Poor Law Board possessed all the necessary authority, but the Bill was intended to enable the Board to supersede the necessity of some of the proposed hospitals. He hoped the greater portion of the six separate infirmaries would be saved by means of the process he had explained to the House. It was with the view of saving the erection of these hospitals and infirmaries that this Bill was brought forward. A great many of the strictures of his hon. Friend the Member for Finsbury did not apply to this Bill at all. It was in order to carry out the system of classification that they wished this Bill to be passed. With regard to the expenditure, he wished to point out that of the sum of £1,400,000 there was either expended or authorized to be expended for works in progress the sum of £700,000. That amount was the practical expenditure of the last two years under the Bill of the right hon. Gentleman opposite. Therefore, they had the large sum of £700,000 to deal with, and if he were able to cut off from that amount some £300,000 or £400,000, he should have effected, with the assistance of the House, a considerable saving. So far from the Government intending to destroy local government, as stated by the hon. Member for Colchester (Dr. Brewer) their wish was simply to substitute one form of local government for another. As a metropolitan Member himself, he was anxious to save expenditure as far as a saving could be effected consistently with efficiency, and he trusted that the House would not refuse to read the Bill a second time.

Question put.

The House *divided*:—Ayes 118; Noes 15: Majority 103.

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *Thursday*.

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) SUPPLEMENTAL BILL.

On Motion of Mr. Ayrton, Bill to confirm Provisional Orders under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same, *ordered* to be brought in by Mr. Ayrton and Mr. Glyn.

House adjourned at a Quarter before Two o'clock.

HOUSE OF LORDS,

Tuesday, 8*th June*, 1869.

MINUTES.]—Public Bills—*First Reading*—Election Commissioners (Expenses)* (121); Beerhouses, &c.* (122).

Second Reading—Recorders' Deputies* (105); Oxford University Statutes* (114).

Committee—Stannaries* (98-123).

Committee — *Report* — Metropolitan Commons Supplemental* (35).

Report—Life Peerages (113).

LIFE PEERAGES BILL—(No. 113.)

(*The Earl Russell.*)

REPORT OF AMENDMENTS.

Order of the Day for receiving the Report of the Amendments, read.

Moved, "That the said Report be now received."—(*The Earl Russell.*)

The Duke of ARGYLL: My Lords, I did not trouble your Lordships with any observations on this Bill, either on the second reading or in Committee, but there are reasons why I wish to notice the principle involved in it, and the arguments that have been used in support of it. I should, however, have been glad to defer my remarks till the Bill had reached its last stage, had it not occurred to me that possibly events might in the meantime arise in this House which may complicate the question, and may embitter a controversy which, up to the present time, has been conducted without any reference to party politics. I cannot help thinking that the aspect of the House the other night when this Bill was under discussion was one which could not have been altogether satisfactory to either side. It seemed to me that the attitude of the great majority of noble Lords on both sides was an attitude of uneasiness and suspicion; and that though the Bill was to be allowed to pass through Committee by a compromise between the Leaders of opposite sides, the large majority of the House did, and do now, view it with uneasiness and suspicion. Nor can I be surprised at this feeling, especially when I look at the immense gulf—for I can use no milder term—between the arguments used in support of the Bill and the provisions to which those arguments referred. My own impression is that the measure may be useful or may be highly mischievous according to the arguments used in its support. Now, in the first place, I cannot help observing that it submits the constitution of this House to the discussion of the other House; and, though this may be necessary and advisable for grave reasons, no man can deny that it is in itself an evil, and that to raise a discussion upon the abstract principles of the Constitution, and of the constitution of this House before the other House, is a proceeding which always involves a certain amount of danger. That danger, I must say, will be greatly aggravated unless we base and defend this measure upon arguments very different from those which have been employed by some of the most distinguished speakers. I am bound to say that I except my noble Friend (Earl Russell), for he used none of the arguments to which I have referred, and based the measure almost entirely on the ground of mere convenience; his opinion being that it might be the means of adding to the House, from time to time, men distinguished in literature, in science, art, and politics, who would adorn the House with their presence and give lustre to its deliberations by their counsels or their eloquence. The force of that argument I fully admit, and I accept it, as far as it goes, in support of the Bill. But the arguments used by other noble Lords are of a very different character. The noble Earl (the Earl of Carnarvon) who held the Office of Secretary of State for the Colonies, in one of our most recent Administrations, referring to the relations which subsist between the two Houses, said—

> "As matters now stand that unity [the unity between the two Houses] can only be secured by one of two ways—either we must yield upon every point to the Lower House of Parliament, which would be mere weakness; and I for one say that political existence upon such terms would not be worth having, that it would not be creditable to us or useful to the nation, or we must increase our strength, and so maintain a complete equality in argument and in debate with the Lower House of Parliament; and that can only be obtained by calling to this House those who will bring with them ample knowledge of the various subjects which may have to be debated."—[3 *Hansard*, cxcvi. 1184-5.]

Again, the noble Marquess who sits near him (the Marquess of Salisbury), in a speech which has often been referred to, made some remarks to the same effect—which, it is true, formed part of the peroration of his speech, and I am never quite sure how far it is fair to bind men to passages occurring in their perorations, for I think we are all apt to talk rather wildly in what are called perorations. The noble Marquess, however, spoke with great deliberation, and he distinctly recommended this measure for the adoption of the House on the ground that it was necessary to increase our strength as a political body. That was the whole gist of his argument—that unless we adopted some such measure we must consent to find ourselves entirely subject to the control of the House of Commons. The argument, therefore, of these two distinguished Members of the House is that, the Bill will add political strength to this House, and in such a degree as materially to alter the present relative position of the two Houses, and to place your Lordships on a footing, not merely of legal equality, but of influence and authority equal to the House of Commons. Now, the main object for which I have risen on this occasion is to declare my firm conviction that for such a purpose the Bill is not worth the paper on which it is printed. My conviction, moreover, is that it is not desirable in any Constitution to have two Houses of Parliament which are co-ordinate and co-equal in point of actual power and authority. In any Constitution in which you have two Chambers of this character you are liable at any moment to come to a dead-lock. To avoid such an evil, one must, more or less, be supreme over the other as an expression of the will of the nation. But even if such a state of things were desirable, I believe it to be wholly unattainable in this country. You cannot have a second House of Parliament—as it is vulgarly but inaccurately called—co-equal with the House of Commons in power and authority, unless you have it similarly based on popular election. It is true that in the United States the Senate is in a position which enables it to hold its own against the House of Representatives; but that is because it represents separate States, and being also elective it has co-ordinate and co-equal authority. I believe the object to be one which we ought not to seek, and which, were we to seek it, is wholly unattainable. In that view of the matter I consider this Bill to be wholly worthless, and if we send it down to the House of Comnons avowing that this is our object, we shall only cover ourselves with ridicule.

Earl RUSSELL: It is not my object.

The Duke of ARGYLL: No; my ioble Friend has avoided all those argunents, and has introduced the measure n the only safe grounds on which it can e argued—that it will give an opportuuity for introducing a few distinguished Members into this House. Now, I wish o say a few words on the grave accusaion brought against this House by these wo distinguished Members of the Conervative party—namely, that we have ost our place in the Constitution, and ave not kept pace with the advances f the community. If I can interpret uch language at all, it means that this House is far too predominantly Tory, nd, of course, I should agree in that pinion. [*A laugh.*] That, however, is ot the question—the question is wheher our constitutional position has, up o this moment, been so managed with eference to the general opinion of the ountry and our relations with other odies in the State, that we have mainained a large share of influence in the egislation of the country. Now, I enirely deny that our position has been so nuch endangered and altered by changes vhich have recently occurred. How has ur relationship with the House of Comnons been hitherto managed and conrolled so as to keep our hereditary House airly in line with the general progress of pinion? Why, in the first place, we live n the same political atmosphere, read he same newspapers, attend the same ublic meetings; we are, in fact, part nd parcel of the general society of the ountry; and we must be very stupid ndeed, and must have lost that power f reflecting the opinions of the country hich our ancestors unquestionably posessed, if we are not able to march fairly breast in the great advances of public pinion. Another way in which this Iouse has kept its place abreast with e opinions of the day and in harmony ith the Constitution is not so much in e occasional recruiting of the House y the raising of Commoners to the eerage—though that is an important ement in the matter—as it is in the ct that the sons and heirs of Peers in large proportion of cases serve their pprenticeship in the House of Comons, and there is thus a continual reuitment going on far more important than the recruitment by new peerages—namely, by men coming up to this House who have sat fifteen, twenty, or thirty years in the House of Commons, and who therefore are thoroughly imbued with its spirit, and know its power and the place it ought to have in the Constitution, and who take their places here, bringing with them the knowledge and sympathies they have acquired in the other House. Then, again, another reason is to be found in the exercise of common sense and forbearance on the part of the Leaders of the great political parties; but I will not dwell upon that lest I should be thought—which I do not in the least intend—to refer to existing difficulties which are before us. It is enough for me to say that this fair exercise of discretion on the part of the political Leaders has notoriously been one of the great means by which this House has been kept in harmony with the other branch of the Legislature. Another important means is the prospect which various parties have of coming into Office. During the twenty-two years in which I have sat in this House I have often noticed, on the part of noble Lords opposite, what appeared to me very unreasonable resistance to measures of a popular kind, especially measures affecting the privileges of the Church or the liberties claimed by Dissenters. I have seen them resisted year after year by the same arguments; but I have always observed that just about the time when the Conservative party had some prospect of coming into Office, the decks were cleared of all these inconvenient measures. The Jews were admitted, and various other measures were adopted by the Leaders of the party opposite when it became apparent that, clothed with the responsibility of Office, they would have to deal with those measures themselves. Now all these are means and methods by which, under the ordinary action of the Constitution of this country, the result has been secured that the House of Lords should in the main march in harmony with the other branch of the Legislature and with the general progress of the State. I do not, of course, deny that this House has a tendency to look upon great political questions in a somewhat different point of view from that taken by the other House: but the truth is that if the majority of this House and its *esprit de corps* did not lead them to take a somewhat different view of public questions we should be of no use whatever as a separate branch of the Legislature. That cannot fairly be complained of; but the question is whether this House has been accustomed obstinately, without reference to the state of public opinion, to adhere to the opinion which the majority may have; and I maintain that hitherto we have been able to keep ourselves abreast of the opinion of the day, and to exercise a powerful and effective influence upon the legislation of the country. Whether our position has been rendered very much weaker by the recent great changes in the suffrage remains to be seen. At all events it must be remembered that those of our Members, and they are a very large proportion, who first serve in the House of Commons will have to go through the same school, and must be elected along with others by household suffrage; and I trust that those influences will continue to keep us in the position we have hitherto maintained. It has been said that on great questions we are apt to take a class and a landlords' point of view. Now, it is true that Free Trade made very slow progress here; but I think the public are bound to remember that, even upon such questions as these, affecting the early associations much more than the personal interests of Members of this House, there have been distinguished Peers who were foremost in the movement in favour of Free Trade. I remember the first debates which took place after I became a Member of this House, and I well remember that a Peer representing one of the oldest families in this House and one of the greatest landed proprietors in the kingdom, the late Earl Fitzwilliam, night after night used to urge the necessity of a repeal of the Corn Laws; and so, even among the most ancient hereditary families of the country, there always have been men who have taken a foremost part in the Liberal movements of their time. It may be asked why, if I regard this Bill, with its proposed creation of two life peerages a year and a maximum number of twenty-eight, as unnecessary and worthless with regard to the political weight of this House, I should vote for it at all, well, I support it entirely on the comparatively narrow ground stated by my noble Friend (Earl Russell). I have known several instances in which men expressed a reluctance to accept an hereditary peerage except on conditions with reference to pensions and other things which it was not always convenient to meet. And I do not agree with the opinion of those who are adverse to the measure that no persons will be found who will accept life peerages. I believe there are distinguished men—both politicians and members of the general public—whom it may be very advantageous to have increased facilities for introducing occasionally as Members of this House, and it is possible that on special subjects they may be of great use in conveying to us the knowledge they may possess. As to the great commercial class, I agree with Lord Harrowby—whom I do not see present—that while the largest proportion of merchant princes will naturally be Members of the House of Commons, there is no reason why they should not be introduced here as hereditary Peers. In the great majority of cases they would be willing to accept hereditary peerages, and they would be a most important element of strength to the House; but certainly as regards them I see no necessity for introducing the principle of life peerages. I am disposed to concur in the opinion, rather implied than expressed on a former occasion, that the ordinary Prerogative of the Crown ought to be exercised to a greater extent than hitherto in introducing representatives of the commercial classes into this House. But I now refer solely to the question whether life peerages or hereditary peerages would be most properly offered to them. This Bill involves very serious constitutional questions, and if we send it to the House of Commons—which I do not say that I am against—let us put it upon reasonable grounds, and not on the ground that we anticipate that it will add materially to the political strength or weight of the House. Above all, let us not commit the folly of supposing that it will enable us to withstand the ultimate decision of the country as expressed by the House of Commons; but let us explain to them that there are a certain limited number of cases of men distinguished in a literary political, or judicial capacity, who might with great convenience be introduced as life Peers, and who would adorn our Benches and add to the interest and reality of our debates. Those are the only grounds on which I think this Bill ough to be sent down to the House of Commons, and we shall be damaging our position and exposing ourselves to deserved ridicule if we send it down as based on any arguments such as those that have been put forward by the noble Earl and the noble Marquess opposite.

The Marquess of SALISBURY: I have listened to the speech of my noble Friend with ever-increasing perplexity. I know the readiness of his answer in debate and the powerful stream of eloquence which spontaneously gushes from his lips, and I cannot understand why a speech of mine delivered a month ago, on the first reading of the Bill, should not have been answered at the time, should not have been answered on the second reading, should not have been answered on going into Committee, but that now, after this long period of meditation, and I hope of seclusion, the noble Duke should have produced an answer. What inspiration has suddenly passed over him and prompted him to do what he never thought of doing before—namely, exposing my heresies? I fear it is hardly paying him the compliment he has paid to me to answer him on the spot. What I ought to do would be to move that the debate be adjourned for a month, by which time I might, perhaps, be able to produce an answer. Perhaps, however, I was only the peg on which other doctrines were intended o be expressed. Perhaps it was the shadow which coming events cast before them, and the rumours which are circulating about, which drove him to this unwonted course—so that by the exigency of political events he was compelled by an irresistible desire to profess the absolute subordination of this House o the House of Commons, and could not repress the sentiment for a single night. Well, I am not prepared to follow him. I am not prepared to have any part in an assembly which should make such an unrestricted profession of subserviency to the other branch of the Legislature as that which he desires; and, if his constitutional doctrine is true, I think he will soon have possession of these Benches to himself. I do not intend o follow the noble Duke into a lecture on constitutional law or the relations of the two Houses. That may be very proper next week, or the week after, but it is hardly opportune now. I quite believe that this House is subordinate to the nation; I do not believe it is subordinate to the House of Commons. I quite believe, with the noble Duke, that no Bill, however large or however small—that no legislation of any kind will make either House of Parliament, or any Minister, or any autocrat, or any governing power that has ever been conceived, superior to the will of the nation. There is one of his criticisms which, on behalf of my noble Friend (the Earl of Carnarvon) as well as my own, I wish to answer, as the noble Duke's misapprehension has been shared by others. It has been supposed that because we pointed to great objects as desirable, and on that ground based our support of the Bill, therefore this Bill would do a great deal to attain these objects. Now, that does not at all follow. There are great objects in reference to this House which it is desirable to attain; but it does not follow that we are never to be actuated by the wish to attain them except when we have some great and violent measure to support or to oppose. I believe, for instance, that the effects of this Bill will be small, and I like it all the better for that. I do not like a policy which produces a transformation scene once every few years. The evil which I believe exists, which this Bill will tend in a very small degree to remedy, and which other measures may also tend to remedy, is simply this—I hope I shall offend no one by saying so—but no one can have looked abroad—not at the present moment in particular, but at the past history of the world—without seeing that what we call the hereditary principle is not so strong in its influence over mankind as it was in former times, and that the process by which that change of feeling has been produced is still in operation, and that we do not know what will be its limits. This House was formerly strong through the hereditary principle. The character, the abilities, the opportunities of its Members might be what they might; but the fact that they sat by hereditary right gave it an enormous claim on the consideration of the country. That power has not been lost, but I believe it has been lessened; and believing that a legislative assembly, whether first or second, should be thoroughly powerful and efficient for its object, it seems to me desirable, as far as we can, to seek new sources of power from which to make up to this House that source of power which to some extent has declined. Now, the sources of power I should seek would be to gain the general respect of the country by adding to this House distinguished men of all kinds who can lend lustre to our debates and weight to our councils. Do not talk of there being an addition of only two Peers a year, and twenty-eight in all. You do not count influence by noses. It is the weight of the men we hope to get, not their numbers, which we expect to give strength to the House; and as furnishing this source of influence I hoped this Bill would be passed. Another source which I ventured to touch upon was the removal of the disadvantage arising from powerful and wealthy classes being able to say, "The House of Lords has little claim to my consideration, for there is not one man of my kind in it." I agree with the noble Duke that this disadvantage would be easily removed by the exercise of the ordinary Prerogative of the Crown; but this Bill may further the object, and I therefore think it a good one. I have said this much too often, and I did not dream of being called upon to speak of it again; but the extraordinary ruminating power of the noble Duke, which causes him after such a long process of digestion to chew the cud, has obliged me to intrude once more on the attention of the House.

LORD HOUGHTON: My Lords, I listened with great interest to the speech or lecture of the noble Duke (the Duke of Argyll), and waited for that part upon which he threw an undeserved contempt — namely, his peroration, for I hoped it would announce that he was going to oppose the further progress of the Bill. This is the first great measure I have seen treated with undue levity in this House—indeed, I do not think your Lordships have fully comprehended, or fully expressed, the enormous gravity of this question. No doubt the noble Earl below me (Earl Russell) has had the simple object which the noble Duke has stated; but the very fact that this question has suggested to any of your Lordships such different processes of reasoning and such different conclusions from the noble Earl is sufficient to show that when it goes down to the House of Commons it will not be treated as the introduction into this House of a casual statesman, man of letters, philosopher, artist, or doctor, but as the first time when the constitution of this House has become a serious subject of debate in the House of Commons. Such a subject may, no doubt, come before the other House legitimately; but it ought not to come before it in an accidental or fortuitous manner. The noble Marquess (the Marquess of Salisbury) appears to approve this Bill because it introduces the thin end of the wedge. Now, I have always been in favour of gradual reform, believing that large dramatic reforms are not the most useful to the country, nor the most congenial to the political disposition of our people; but the other extreme ought to be avoided, and great and delicate questions ought not to be started without profound and practical reasons. The object of this Bill is to introduce a few additional eminent men into this House; but have successive Governments done all they might have done to introduce those very persons by the ordinary means of hereditary peerages? The greater part of the persons whom it is desirable to introduce by this Bill would be quite willing to receive hereditary peerages, and there could be no possible objection to their receiving them. Until, then, you find men obstinately refusing to accept hereditary peerages, you ought not to resort to other methods. I am not sure there is not a danger in the alleged necessity of getting more eminent men in this House. I do not see the necessity—I do not see any advantage in making the House richer in property or intellect than it now is. I believe it is already sufficiently rich in them for all purposes of political action. The desire to concentrate in this House, if you could do it, all the wealth and intellect of the country would not make the position of the House safer, but infinitely more dangerous. Its real security depends on its commixture and infusion with the rest of the community, not on its consisting exclusively of rich men or clever men. It mixes itself up even by its occasional poverty with the interests of other classes. I should have been glad had some Peer of sufficient position been ready to arrest the further progress of the Bill. I am sure there is a floating opinion in the House as to the danger and insecurity of the Bill, as to the very small object which you wish to attain, and as to the uncertainty of the object itself, which would induce the majority of the House, even on the third reading, to express to the noble Earl their gratitude for having brought the subject under their consideration, but their conviction that after the manipulation it has undergone it would not be for the advantage of the House to proceed with it.

The Earl of MALMESBURY: My Lords, I was not in England when this measure was introduced, but I read the report of the debate on the first reading, and it certainly struck me that all the consequences of the introduction of the Bill would be exactly what they have proved to be. The Bill in itself is perfectly worthless for the improvement of this House, if that is its intention; but I felt that if the question was discussed the debates would take a turn which might be highly derogatory to the House, and certainly not to its advantage. I was convinced, too, that what the noble Duke has foreshadowed would occur, and that in the House of Commons this House would be exposed o jibes and reflections from those who are enemies of the institution, and to discussions of its constitution which would not be very agreeable to your Lordships generally. There has been a doleful tone—a tone, as it were, of self-condemnation—an admission, or half admission, that this House was not in its proper position, and not in accord with he other institutions of the country; hat it has not kept pace with the other nstitutions and feelings of the counry; and that it was gradually losing its nfluence and power. Indeed, had a oreigner been present on a recent occaion he would have formed the impreion that the House was actually on its ast legs, and that unless we introduced considerable number of mercantile men re could not be in accord with the counry generally. Now, I desire as much s anybody the presence of what are alled—but, as I shall presently show, rongly — mercantile men; but it is om no pride on our part, from no ult in the law, and from no want f power in the Crown, that this is ot the case. If any persons have been blame it has been those eminent ords and Commoners who, as Prime inisters, have had the selection of ch men in their hands—and no one ore than the noble Earl himself has d the power during his distinguished reer of adding to the ranks of the peerage. We are certainly not in favour with the public Press at this moment; and the newspapers, particularly those of the Liberal party, are constantly accusing us—for they make it an accusation—of being entirely landed proprietors. Well, why should we be incapable, as landed proprietors, of legislating? If, however, they bring a charge against the House they should be correct in their indictment. We are not only landed proprietors—we are a great deal more than that. But if we were all landed proprietors we should be in that very character the greatest merchants in the world, because it would rest with us greatly and chiefly to provide this country with food. Surely that is not a position which is at all a slur upon our capabilities. But we are not all landed proprietors. We find a number of other industrial interests represented by Members of this House. Who possess more mines of various kinds than Members of this House? There is a Member of this House who is a merchant in gold. What, then, do these jeers mean? They do not mean that we are incapable, because we are partly landowners, of understanding the various interests of the State; but it is the fashion or whim of the public Press, into which I am sorry to see noble Lords have also fallen, to find fault with this House for shortcomings which really do not exist. Not long ago we were told that if we met daily an hour earlier it would save us, for that we were in bad odour with the country for not meeting till five. Then we were told we did not speak enough, our speeches not being long enough. Now, I maintain that all that the country has a right to expect is that its business should be done, and well done; and is that the case or not? That is what we should ascertain, and not launch into theories as to what this House ought to be under such and such circumstances, and with such and such men within its walls. I have had communications with lawyers who have been in our Committee-rooms, and have watched what we have done, and I am not afraid to defend this House against any accusers as having honestly and fairly done the business of the country. There can be no greater proof of our honesty than the fact that real property is far more heavily taxed than personal property, To go no further back than 1688, this "assembly of selfish landowners," as we are represented, have for 200 years acted so honestly that it has allowed its own interests to suffer, and has allowed real property to pay more towards the burdens of the State than any other. These complaints of this House remind me of the occasion when the Emperor of Russia said Turkey was a sick man, and, inasmuch as he could not live much longer, he was to be taken in hand at once and made to feel his weakness, and of how little use he was in Europe. That is exactly like the language of the public Press towards this House. They speak, indeed, pretty plainly, and intimate that it must be an elective body, and that the hereditary principle must cease. Now, the noble Earl (Earl Russell) says he can get every year two very useful men as life Peers. Even, however, if he does so, it certainly will not save this House from the perdition to which many people have devoted it, and which they have prophesied. But I am convinced that he will not find eligible men to accept the conditions which he offers. He rests his argument on the principle that the hereditary peerage is a very costly honour. Does he think, however, knowing what human nature is, that men value cheap honours? I do not believe they do. I believe that the moment it is looked upon as a cheap honour it will be despised. Your Lordships will recollect that when there was a question whether the Guelph or the Order of the Bath should be conferred on some person, and when William IV. announced his intention of conferring the Guelph on him, somebody's remark was, "Serve him right." Now, that is the view which would be taken of the first life peerage, and the recipient of it would be in a nondescript position—in the position of a man elected, if we can conceive such a thing, at a club without the privileges and status of other members. Many inconveniences will be attached to it. The noble Earl does not propose to debar the Crown from creating life Peers of different ranks — Earls, Marquesses, or Dukes, as well as Barons. Suppose a life Peer was first made a Baron and afterwards an Earl, his wife would, of course, take the title of Countess. Well, she would go into society with her daughters, like other Countesses; but her daughters, though they would sit by the daughters of other Countesses, would have no rank or title—and do those who know society and the world believe that that would be pleasant to the parents? That is an illustration of the false position in which persons will be placed if you leave the old trodden path with regard to honours and position. If I could see that any real strength would accrue to this House, I should be the first to support the Bill; but, seeing that it is a great innovation in the Constitution, breaking as it does into the hereditary principle — seeing that those who accepted the position would probably soon deplore such acceptance—seeing that it would do us no good whatever, and would expose us to anything but agreeable remarks in the House of Commons, I must make up my mind, though with great regret, to move that the Report of this Bill be received this day three months.

An Amendment *moved* to leave out ("now") and insert ("this day three months.")—(*The Earl of Malmesbury.*)

VISCOUNT STRATFORD DE REDCLIFFE: My Lords, it appears to me that this Bill is fraught with a very dangerous innovation. It is small in its dimensions, and therefore calculated to creep in upon our acceptance against our better judgment. Not that I would impugn the motives of my noble and illustrious Friend (Earl Russell); but I must be allowed to say that, in my opinion, a more unfortunate moment could hardly have been selected for the intro-duction of such a Bill. My objection t the Bill goes far beyond its details; i goes to the very principle of the mea sure, and applies to it so strongly that cannot conceive any Amendment whic could reconcile me to its adoption. I appears, my Lords, to me that the intro duction of life peerages would seriousl affect the character and stability of thi House. It has been observed—and think most correctly—that your Lor ships' House must rest for its suppo on a very different foundation fro that on which the other House of Pa liament depends. This branch of the L gislature has no part of the strength d rivable from popular representation, b must look elsewhere for the sources of i authority. They are to be found in t sense of its usefulness as a safegua for the encroachments of the Crown the one side, and from the dangers of popular excitement on the other. They are to be found in the independence of its Members and their weight in the social scale—in the prescriptive character of the institution—in the charm of its historical traditions—in its hereditary rights, and in the recollection of its early struggles in the cause of freedom. Even were it otherwise, I would submit that the present moment is most unfavourable to the discussion of the proposed innovation, and that if the Bill were to pass your Lordships' House it would afford matter for serious embarrassment in the other House of Parliament. Such, in few words, are the impressions which I entertain upon this ill-timed and hazardous question, and I venture to remind your Lordships that my position in this House is one which renders it very unlikely that I should have contracted any prejudice against the noble Mover's proposal. On the contrary, I might be supposed with more probability to have a bias in favour of the Bill. But the truth is that I see an innovation capable of sapping the foundations of our institution without any prospect of advantage at all equal to the danger, and I also perceive in the very smallness of the measure a certainty of its being expanded into far different proportions at no distant period. On these and other grounds, which need not now be stated, I am prepared, with all respect for my noble Friend the Mover of the Bill, to give my vote against its third reading, should the Motion of the noble Earl behind me be pushed to a division.

Lord CAIRNS: I do not rise in any way to taunt the noble Duke opposite (the Duke of Argyll), when I say that your Lordships find yourselves in a somewhat singular and perplexing position, in consequence of the observations made at the beginning of this conversation. I do not rise to taunt the noble Duke with this; but I cannot help remarking that on every occasion when this Bill comes to be discussed in this House, your Lordships obtain more and more an insight into considerations closely affecting the principle and closely connected with the working of the measure. It is, therefore, by no means strange that opinion ripens on the subject, and that many Members of your Lordships' House who paid but little attention to the Bill in the first instance now come to have more decided views, and are opposed to it. I think it is doubtful whether, without notice, your Lordships ought to go to a division at this stage in order to put an end to the progress of the Bill; but, at the same time, I must say that I think it would be within the competence of my noble Friend (the Earl of Malmesbury) on the third reading—now that your Lordships see the form the Bill has assumed, and the arguments that are put forward in support of it—to take the opinion of the House as to whether the measure is one which ought to pass. I hope the noble Earl who introduced the Bill will fix the third reading for such a time—and that time cannot, I think, be within the present week—as will give your Lordships an opportunity of considering all the circumstances, so that we may then be prepared to come to a vote. I hope, also, that before the Motion for the third reading we may have an advantage which, up to this, it would appear we have not enjoyed. I was under the impression that the Government were prepared to recommend this Bill, and ask your Lordships' assent to it, on the ground that they thought it would be a convenient arrangement if the Government had power to a limited extent to confer life peerages on persons who, either from their official experience or peculiar qualifications, might render important assistance to your Lordships' deliberations. But I confess I have come to have very great doubts as to whether they will now be able to recommend it on that ground; because the noble Duke has this evening supported it entirely on different grounds from those taken by my two noble Friends below the Gangway; and when, on a former occasion, I took exception to some remarks of my noble Friend the noble Marquess (the Marquess of Salisbury), the noble Earl the Colonial Secretary endorsed these remarks, and said they were a proof of my noble Friend's largeness of mind. I want to know, therefore, whether the Government are prepared to recommend this Bill for adoption by your Lordships' House, and, if so, on what grounds? I say again, I do not like the Bill. The object of my efforts, in respect to it, was to make it as harmless as it could be made. I thought, on its first introduction, that there was, to a certain extent, a desire on both sides to have some such Bill, and I endeavoured to make it as innocuous as it could be made. I should be better pleased that it was rendered entirely innocuous by its rejection.

EARL RUSSELL: I shall name such a time for the third reading as will give all your Lordships an opportunity of taking part in the discussion. I cannot rise without taking some notice of arguments that have been used in the course of this discussion. With regard to my noble Friend behind me (Lord Houghton), I do not think he was always of the same opinion as he appears to be now with respect to the wants of this House—he did not always object to the addition of men of talent to your Lordships' House. Among the men whose experience in public affairs made it desirable that they should have seats in this House I may mention Sir James Harris. He was not made a Peer on account of his large estate. He was eminent for his diplomatic ability and his dexterity in taking advantage of an emergency. Ultimately he was possessed of means that enabled him to accept a peerage; but there have been others who distinguished themselves in diplomacy, and who felt themselves unable to accept an hereditary peerage. I believe there are distinguished men who would rather shrink from such a dignity, but who would be glad in the evening of their life to have a seat in your Lordships' House, where they might deliver their opinions on the affairs of Europe. The only object I have in view—and I believe the only object my Friend the noble Duke has in view—is to increase the strength of your Lordships' House by the introduction of men of great ability and eminent character. I fully believe that the feeling in favour of the hereditary principle, to which mankind has so long been attached, is as strong now as at any time. We all know that when the present Emperor of the French started as a candidate for the Presidency of the French Republic, he was not able to refer to any great civil or military achievements, but trusted principally to his connection with a great Sovereign — and it was the name of Napoleon that carried his election. What was the name of Napoleon but an hereditary claim? Even Savage, when he wrote the scoffing line—

"No tenth transmitter of a foolish face,"

prefaced it with the line—

"He lives to build, not boast, a generous race:"

thus showing that although he scorned to be the descendant, he wished to be the progenitor of a race of great men. I think there is a great misapprehension of the place of this House in the Constitution, when it is stated that we should endeavour to strengthen this House in order to enable it to act as a balance to the House of Commons. We must not forget that the real umpire—the ultimate court of appeal—in this country, on all questions of importance, consists of the great body of the people of England. We may learn something on this point from history. Thus we read in Lord Macaulay's History, that the party which carried the Revolution in 1688, were completely overthrown in 1690 when the Tory party obtained an immense majority in the elections. Again, when the Duke of Marlborough wished to continue the war, the House of Commons, who were opposed to that policy, gained the superiority, because the people of England were in favour of the war being discontinued. In 1784, however, when this House threw out the India Bill, which had received the support of a great majority in the House of Commons, an appeal was made to the people upon the subject, and they decided in favour of the House of Lords and against the House of Commons. On the other hand, this House was obliged to yield in 1832 to the decision of the House of Commons, because that decision was supported by the people. I have referred to these instances to show that, even as it is at present constituted, the House of Lords is not obliged to yield in every case to the decision of the House of Commons. When, however, the decision of the great body of the people of the United Kingdom has been ascertained it must prevail, whether it be in favour of the House of Commons or of the House of Lords. Under these circumstances, I think that the Bill must stand upon its own merits, and should not be looked upon as calculated to effect any change in the balance of power between the two branches of the Legislature.

EARL GRANVILLE: I do not think it necessary to address any observations to your Lordships after the speech of he noble Earl. I wish, however, to ake this opportunity of observing that he statement of the noble and learned Lord opposite (Lord Cairns) was inaccurate with reference to what I stated with regard to the tone of the speeches nade by him and by the noble Marquess upon the first reading of this Bill. What said was that there was a remarkable contrast between the speech of the noble Marquess on the first reading of the Bill, in which he stated that the Bill would promote the interests of this House, and the grudging tone in which he noble and learned Lord admitted hat the merit of the Bill depended upon ts details. I wish further to state that t is beyond doubt that the noble Earl the Earl of Malmesbury) has a perfect ight to express his dissent to the Bill at any of its stages; but, at the same ime, I think this House would be placed n a rather ridiculous position if, after compromise had taken place on this Bill, which passed through Committee without a single dissentient voice being aised against it, any large number of our Lordships should feel called upon o vote for the rejection of the Bill on ts third reading.

THE EARL OF MALMESBURY: I ntirely agree with what has fallen rom the noble Earl, that it would be a nost improper course for any Member f your Lordships' House to surprise he House by pressing for a sudden ivision without having previously announced his intention of doing so. Under these circumstances, I shall not call pon your Lordships to divide upon this Bill to-night—especially since the noble Earl has been good enough to state that e will name a convenient day for the hird reading.

Amendment (by Leave of the House) *withdrawn;* Then the original Motion was *agreed to;* Report received accordingly.

EARL GREY proposed to insert a new lause—

"If the number of Life Peerages authorized by is Act should be complete, or if Her Majesty ould have already granted two such peerages uring the current year, at the time when a person is appointed to an office under the Crown as e of Her Majesty's confidential servants, it all be lawful for Her Majesty to grant a special d extraordinary Life Peerage to the person so pointed to be a Cabinet Minister, if it should for the convenience of the public service that he should have a seat in the House of Lords, and he should be unwilling to accept an hereditary peerage. In calculating the number of Life Peerages which Her Majesty is authorized to create under this Act, special and extraordinary Life Peerages shall be counted."

EARL STANHOPE said, that when the Bill was in Committee he proposed certain qualifications which were embodied in an Amendment, prepared with great care, and which had the approbation of his noble and learned Friend the Leader upon that side of the House. Their Lordships, after some debate, arrived at the conclusion that the qualifications proposed in that Amendment were inexpedient, and that the Bill should be couched in the most simple terms. The principle of simplicity, however, would be departed from if the House were now to adopt the somewhat complicated provision which had just been proposed by his noble Friend. In the case put, of a change of Government occurring when the number of life peerages had been filled up, the worst inconvenience which could result would be that the Great Seal would pass into hands which would not be those of a Peer, but of a Lord Keeper—a term by no means novel in our history. Among many other instances that might be given, Lord Cowper had held the Seal for a long period before he was promoted to the Office of Chancellor and a peerage. With great respect, therefore, for his noble Friend, to whose opinion he was always anxious to show deference, he thought it would be unwise to complicate the measure by the introduction of this Amendment.

THE EARL OF HARROWBY pointed out that there had been repeated instances of a Lord Chancellor taking his seat upon the Woolsack before he became a Peer.

LORD CHELMSFORD said, that he himself had sat in the House as Lord Chancellor before he became a Peer.

Amendment *negatived.*

LORD LYVEDEN remarked, that the wording of the Preamble, as it stood, might convey an impression unfavourable to their Lordships' House. The words ran:—"And whereas it is expedient to afford facilities for the introduction into the House of Lords of persons distinguished," and so on. This might imply either that such persons were not now to be found in the House of Lords, or that they could not gain admittance.

Preamble amended by inserting the word ("greater") before ("facilities,") and *agreed to.*

Bill to be read 3ª on *Monday* the 21*st instant.*

BRIDGWATER ELECTION.

In the Commons Address to Her Majesty, *moved* to fill up the blank with ("Lords Spiritual and Temporal, and"); *agreed to:* Then it was *moved* that the name of Edwin Plumer Price, Esquire, one of Her Majesty's counsel, be substituted for that of William Forsyth, Esquire, one of Her Majesty's counsel, in the said Address; *agreed to:* Then the said Address as amended *agreed to* (The Lord Chancellor); and a message sent to the House of Commons to acquaint them that the Lords have agreed to the said Address, and have filled up the blank and have substituted the name of Edwin Plumer Price, Esquire, for that of William Forsyth, Esquire, in the said Address: The Lord Steward and the Lord Chamberlain to attend Her Majesty with the Address on the part of this House: The Lord Chamberlain to wait upon Her Majesty, humbly to know what time Her Majesty will please to appoint to be attended with the said Address.

REPORTS OF JUDGES ON ELECTION INQUIRIES.—CITY OF DUBLIN ELECTION.

JOINT ADDRESSES.

THE LORD CHANCELLOR: My Lords, I have to ask the concurrence of your Lordships with the House of Commons in Addresses upon the subject of certain elections as to which the Judges who were constituted by the Act of Parliament last year as the proper tribunal for investigating corrupt practices at elections have made their Report. And with regard to five out of the six Reports no question, I believe, can arise, or has been suggested, as fit for discussion. But as regards the sixth case—that of the City of Dublin Election—a question has been raised in the House of Commons which does appear to be a proper one for discussion. As regards Dublin, a discussion arose in the other House as to the effect of the Report of the learned Judge. The Act, on the construction of which the discussion arises, is the 15 & 16 *Vict.* c. 57—because the Act of last Session simply transferred the jurisdiction formerly given to Election Committees of the House of Commons to the Judges appointed to try these petitions, and made no difference in the language of the former enactment with reference to the point now under consideration. The language of the 15 & 16 *Vict.* c. 57 as to corrupt practices is that when by the joint Address of both Houses of Parliament it should be represented to Her Majesty that a Committee of the House of Commons, appointed to try any election petition, or to inquire into corrupt practices at any election, had reported "that corrupt practices had extensively prevailed, or that there was reason to believe that they had extensively prevailed," in any place where the election was held, and the Houses of Parliament should thereupon pray Her Majesty to cause inquiry to be made under that Act, that then the inquiry should proceed. What, therefore, the Committee was required to report was, "that corrupt practices had, or that there was reason to believe they had," extensively prevailed in the place where the election was held. I will first state what appears to me to be the plain meaning and intent of the Act. The object of the Legislature was to secure an investigation whenever corrupt practices had extensively prevailed, and a great deal, therefore, will turn on the meaning of the word "extensively." I confess I cannot bring my mind to doubt the intent and meaning of that word. The House of Commons, in its connection with this subject-matter, has been in the habit, when a general amount of corruption has prevailed among any portion of the electors, to present an Address to the Crown praying that a special inquiry might be made in order to ascertain whether that extensive corruption prevailed. Unfortunately, it was discovered that in many of these cases a certain class of voters were not those who were least disposed to yield to these temptations—I mean the freemen of the different towns. The word "extensively" I read as contrasted with "slightly," or some few cases which the zeal of an agent or the facilities of temptation might occasion. "Extensive corruption," on the other hand, means what is ulgarly called "wholesale corruption" —corruption on a great scale—and I do ot conceive it can be held to refer to he numbers of the constituency, or to e relative to those numbers. I take it hat if anybody should corrupt 150 per- ons, and offer to corrupt 200 or 300 nore, that would be extensive corrup- ion, whether the borough contains 500, r 5,000, or 25,000 electors. In either ase the attempt to corrupt the electors vould be "extensive corruption." Ex- raordinary care was taken in this sta- ute to secure the means of remedying o great and serious an evil as a largely xtended course of corruption, because t enacted not merely that where those ractices had existed there should be his remedy, but where the Judge re- orted that there was reason to believe hat they had existed. That being so, he question that arises in Dublin is his:—The learned Judge who had cog- izance of this matter made his Report, s stated in the Address, that corrupt ractices extensively prevailed among he freemen voters at the last election or the city of Dublin, and he added hat it had not been shown that corrupt ractices extensively prevailed, or that here was reason to believe they had ex- ensively prevailed among any other class f voters—that is to say, there was a arge class of men among whom corrupt ractices extensively existed, but the est of the constituency were pure. Is ever the case that the whole of a onstituency are corrupt? Is there any ase that can be named of the kind? I ope and believe not. The freemen are ist the class among whom corrupt prac- ces have too often prevailed. There re 2,500 or 2,600 freemen in the city of ublin, and there was, it appeared, hat might be called wholesale and ge- eral corruption among that class. They rmed about one-fifth of the whole con- ituency, which numbered 13,000 or 4,000 voters. In the city of Dublin, eyond a doubt, on the Report of the udge, the construction of the word extensive" applies. There are several oroughs in which there is a large class agricultural voters, as well as the rban class, living in the town. Sup- ose it were reported that corrupt prac- ces extensively prevailed in one of ese classes. Now, it would be a very rious thing if your Lordships were to old that it does not signify how many are corrupted if the Judge who tries the case does not report that the corruption had been extensive throughout the whole community. I have tried to satisfy myself on this subject by supposing that cattle plague had broken out, that your Lordships were dealing with the matter in order to prevent the spread of the disease, that a Bill had been framed just like this, and that if it had been reported that the cattle plague extensively prevailed in a county you would have power to take steps to provide against the spread of the disease. If you obtained a report that it extensively prevailed among all the black cattle, but that it was not shown to exist among all cattle, it would surely be a strange thing to say that the plague did not extensively exist in the county, and that means ought not to be at once taken to prevent the spread of the disease. I think there can be no reasonable doubt that a Commission should issue in the case more particularly under discussion. The noble and learned Lord concluded by moving to fill up the blanks in the several Addresses relating to the Elections for Norwich, Beverley, Sligo, and Cashel, with the words ("Lords Spiritual and Temporal, and"); which Motions, with the formal Orders thereon, were severally put, and *agreed to.*

DUBLIN CITY ELECTION.

JOINT ADDRESS TO HER MAJESTY.

In the Commons Address to Her Majesty, *Moved* that the blank be filled up with ("Lords Spiritual and Temporal, and.")—(*The Lord Chancellor.*)

LORD CAIRNS: I quite concur in the remark made by my noble and learned Friend last night—that while your Lordships ought to be prepared to deal with this subject in a judicial spirit, yet it is one which your Lordships generally are just as well able to decide as the legal Members of the House. We fortunately have no original jurisdiction in regard to the action of the House of Commons in relation to election petitions or the inquiry into any corrupt practices—we have no right to meddle with them, or to move in any direction towards examining them. We are perfectly powerless except so far as power is given us by statute. One power only has been given to us by statute—that is the power of concurring with the House of Commons in an Address to the Crown for the issue of a Commission. That is a statutory power. It must be followed strictly and to the letter. The conditions the statute laid down are these—Your Lordships may concur with the Commons, and address the Crown for the issuing of the Commission; the Commission will issue and have all the powers the statute gives it. The powers of the Commission, issuing according to the Act of Parliament, will be, in the first place, that the whole expense of the Commission will be thrown on the constituency whose acts are to be inquired into. Next, the Commission will have power to administer oaths, to commit witnesses for contempt; and, not only so, but to give to any witness who shall make a full disclosure of all the facts within his knowledge a certificate of indemnity against any criminal proceedings in respect of what he has disclosed. Further than that, the Commissioners will be protected in anything they do in the prosecution of their powers; but, on the other hand, if you do not pursue the powers of the statute—if the Crown issues the Commission unwarranted by the precise terms of the statute—then all acts of the Commissioners will be illegal and wrong—they will be liable to challenge by any person who chooses to do so; their committal of a witness will be false imprisonment, the officer who enforces their order may be resisted to a breach of the peace, and the crime will be the crime of the officer and not of the person who resists him. The case may come before your Lordships judicially, and you will have to say whether the House was justified by the Act in addressing the Crown to issue the Commission. Now, the first thing that attracts notice is the peculiar way in which the Address is to be founded in which we are asked to concur. What the Act of Parliament says is this—

> "Where by a Joint Address of both Houses of Parliament it shall be represented to Her Majesty that (a Judge) has reported to the House that corrupt practices have, or that there is reason to believe that corrupt practices have, extensively prevailed in any city"—

in this case it is a city—if a joint Address of both Houses of Parliament is presented to Her Majesty, representing that a Judge has reported, not as to any particular detail of facts, but that corrupt practices have, or that there is reason to believe that corrupt practices have, extensively prevailed in any city, then the Commission may issue. Now, observe the words "extensively prevailed." What do they mean? Is it possible to suppose that they can have any meaning except one with reference to the place or the constituency concerning which the Judge reports? What would be extensive bribery in a constituency of 100 would not be so in a constituency of 15,000. And, observe, what the statute has done is to interpose the Judge as the person who is to decide what is meant by the word "extensively." It is not that Parliament is to read the evidence, and form its own conclusion whether the bribery has been extensive or not; if that were so we might have those very painful discussions renewed in both Houses which politicians on all sides have long since endeavoured to sweep away from the action of Parliament—we might have Members coming down arguing on the report as to whether or not corrupt practices alleged had been "extensive." You have had the Judge interposed to avoid the whole of that scandal; but he must make a statement in his Report to the House that in the city—in the constituency—concerning which he has been inquiring, corrupt practices have extensively prevailed, or that there is reason to believe that corrupt practices extensively prevailed at the election. Then the two Houses are to approach Her Majesty and state categorically that a Judge has reported that corrupt practices have extensively prevailed, or that there is reason to believe corrupt practices have extensively prevailed. What are you asked to state to the Crown on approaching the foot of the Throne? You are asked to state to the Crown—

> "We, Your Majesty's most dutiful and loyal subjects, beg leave humbly to represent to Your Majesty that Mr. Justice Keogh . . . . has reported to the House of Commons that corrupt practices did extensively prevail amongst the Freemen voters at the last Election for the City of Dublin, and that, save as reported respecting the said Freemen corrupt practices have not been shown to have extensively prevailed, nor is there reason to believe that corrupt practices have prevailed at the said Election."

Now, if that is a Report that in the constituency concerning which he was inquiring he was prepared to say that corrupt practices extensively prevailed, why in the first place, did he not say so; and,

n the second place, why not tell the
rown so? You are compelled to put on
he face of the Address the truth, and
hat truth is not that which is required
y the Act of Parliament. Let me re-
nind your Lordships of the view taken
n these Reports in 1853 with reference
Canterbury and Clitheroe, which be-
ame the subject of discussion in this
ouse, and on which Lord Lyndhurst,
eaking with reference to Canterbury,
aid—

> "His noble Friend had stated—and he believed
> e same argument was stated also in the other
> ouse of Parliament—that the terms made use
> in the Address were equivalent to those in the
> eport. Now, he apprehended that their Lord-
> ips had no authority to draw any such conclusion.
> was the duty of the Committee to draw their
> nclusion from the evidence: their Lordships had
> power to look at that evidence for the purpose
> altering the Report. The Committee were the
> ly parties to draw that conclusion, and Parlia-
> ent was bound by their Report."—[3 *Hansard*,
> xv. 904.]

hen he said further—

> "If a Commission were issued, what would be
> e consequence? Why, that the validity of that
> ommission might be questioned if the matter
> ere brought before a court of law. He appre-
> nded, therefore, that they ought not to present
> Address to Her Majesty stating that which
> s in terms incorrect, drawing a conclusion
> ich they had no right to draw from the Report,
> d which, if put upon the face of this Address,
> uld not support the Commission which it was
> w sought to issue. But, further than this, he
> not consider that what had been reported by
> Committee was equivalent to what was stated
> on the face of this Address."

well did the House feel the cogency of
is statement that when the Clitheroe case
me before the House, though the House
Commons, as in this instance, had
ted the Address, Lord Campbell, on the
commendation of Lord Lyndhurst, with-
ew it. Now, is there any difference in
present case? On the register for
City of Dublin there are 2,700 free-
n voters, the constituency numbers
854, and the learned Judge states that
of the freemen eleven were proved to
ve received money, and forty-one were
arged with having received it. I do
quarrel with the statement of the
rned Judge, for he was the person to
m an opinion as to the prevalence of
bery; but he does not say that among
constituency corrupt practices exten-
ely prevailed, but that among the
emen such practices prevailed. He
nted to show to what extent that of-
ce prevailed among the freemen, but
ake care that his Report should not be held to cast on the constituency at large the slur and disgrace which would be involved if the statement was that corrupt practices extensively prevailed among the constituency at large, and to show that he was not prepared to give the certificate on which alone a Commission can issue. The noble and learned Lord on the Woolsack has put a case for the purpose of illustration. Now, illustrations are dangerous things if they are not on all fours. But I will take the case supposed. I will suppose that, by some legislation, some statutory action shall be taken if a certain public officer shall give his certificate that the cattle plague extensively prevails in any particular county, and I will suppose that this officer has given his certificate that cattle plague extensively prevails in a parish of the county, but that save in that parish it does not prevail in the county. If that public officer made such a report, and you attempted in consequence to act under the statute, I apprehend that you would find yourselves woefully wrong in a court of law. Again, if the Report stated that the cattle plague extensively prevailed among a particular species of cattle, and that, save and except with regard to that species, it did not otherwise extensively prevail, then anyone attempting upon such a report to act under the statute would soon discover that he had committed a very great mistake. This is a grave matter, and I trust that the course taken by your Lordships on the present occasion will be the same as that which was pursued in the Clitheroe case, in respect to which Lord Lyndhurst and Lord Campbell concurred, and where the House assented to a Motion similar to the one I am about to make—namely, that the Address to Her Majesty in the Dublin case be taken into consideration on this day six months.

Amendment *moved* to leave out from ("the") to the end of the Motion and insert ("said Address be taken into consideration this day six months.")—(*The Lord Cairns.*)

LORD WESTBURY said, by the existing statutes a conditional power is given to Her Majesty to issue a Commission for the purpose of making inquiry into the existence of corrupt practices of any election of a Member or Members to serve in Parliament. The power is conditional—that is to say, it will not arise unless the required precedent condition has been fulfilled. Now, the condition is, that the Judge shall have reported to the House of Commons that corrupt practices have, or that there is reason to believe that they have, extensively prevailed in any county, city, borough, or place electing a Member or Members to serve in Parliament at any election or elections of such Member or Members. Unless the Report of the Judge strictly answers this description, the power to issue the Commission does not arise. The House will observe that the Report of the Judge must predicate or affirm of the county or borough, as the case may be, that corrupt practices have, or that there is reason to believe they have, extensively prevailed in it. This must be affirmed of the whole of the county or borough by the Judge, and it is a conclusion which he himself must derive and state. The Houses of Parliament cannot draw that conclusion. If the Judge affirms the existence of corrupt practices in a part of a county or borough, or in some separate part or body of the electors of a county or borough, it is not sufficient to fulfil the statutory condition, and the power to issue the Commission will not arise. No lawyer could reason, as the Government appears to have done, that by this Report the Judge affirms the existence of corrupt practices extensively in a certain body of freemen, which body is a considerable part of the whole body of electors, and therefore by inference it affirms extensive corrupt practices in the city generally. That mode of reasoning will not satisfy the Act of Parliament. The Judge must himself derive and state the conclusion, and where he has not done so, the House of Commons cannot substitute its own inference for the Judge's conclusion. The House of Commons has been led by the Law Advisers of the Government into error. No Commission can legally issue.

Lord CHELMSFORD said, that the simple question was whether the Report of the Judge was in the words of the Act of Parliament. It was perfectly clear that the power given in respect to the issue of Commissions of Inquiry was a statutory power, and the statutory form must be implicitly followed. Under the statute the Judge was to report that corrupt practices had extensively prevailed, or that there was reason to believe that corrupt practices had extensively prevailed in a city or county, as the case might be; and unless the Judge so reported it was quite clear that the case was not brought within the statute. Now, in the case of Dublin, the learned Judge reported that corrupt practices extensively prevailed among the freemen, but that, save as aforesaid, corrupt practices were not shown to have extensively prevailed, nor was there reason to believe that they had extensively prevailed. It was, then, a question for their Lordships to decide, whether a Judge saying that corrupt practices had not extensively prevailed was the same as his saying that they had extensively prevailed. The learned Judge having come to the conclusion that corrupt practices extensively prevailed among the freemen, and having reported to that effect, seemed anxious to avoid being supposed to mean to say that corrupt practices extensively prevailed throughout the whole city of Dublin; and he therefore added that, with the exception of the class of freemen, corrupt practices were not shown to have extensively prevailed, nor was there reason to believe that they had extensively prevailed at the election to which the petition he had to decide on related. It was quite plain that that was not a Report in the words of the Act of Parliament, and their Lordships ought not, under these circumstances, to agree to the proposed Address in the case of Dublin.

The LORD CHANCELLOR said there was no magic in words, and if the Judge said—"I find that corrupt practices extensively prevailed among the freemen of the city, but, save as aforesaid, there were none," was not that sufficient? The Report that corrupt practices had extensively prevailed among a large class shows that they had existed but the argument on the other side really was that, because corrupt practices extensively prevailed only among the freemen, corrupt practices did not extensively prevail at all. Surely they did not exist the less because they were confined only to a class. Suppose they existed in a particular street or in particular wards, and the Judge said so not wishing to affix a stigma on the rest of the city, would not such a Report have justified a Royal Commission? A to the Clitheroe case the Committee ther eported that treating extensively preailed—treating not being an offence vhich, under the Act, would have justiied the issue of the Commission—and hen in the Motion for an Address the vords of the Act were adopted, and the vords of the Committee's Report were leparted from. Here the very words of he Judge's Report were given in the ddress. On the whole, he did not hink it well to carry the Question to a livision, and would therefore withdraw he Motion for an Address in the case of he City of Dublin.

Amendment *agreed to,* and Address o be taken into consideration *this day ix months.*

Then it was *moved* that a message be ent to the House of Commons to inform hem that this House, having considered he report of the judge appointed to try petition complaining of an undue elecion and return for the city of Dublin, lo not think it expedient to address Her lajesty praying Her Majesty to cause nquiry to be made pursuant to the proisions of the Act 31st and 32d Vict. hap. 125; and *agreed to.*

House adjourned at Eight o'clock,
to Thursday next, half past
Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 8th June, 1869.

INUTES.] — SELECT COMMITTEES—Abyssinian War, *appointed;* Witnesses (House of Commons), Contagious Diseases Act (1866), *nominated.*

AYS AND MEANS—*Resolutions* [June 7] *reported.*

UBLIC BILLS—*Ordered—First Reading* — Exchequer Bonds (£2,300,000)* [152]; Public Offices Concentration * [153].

irst Reading—Government of India Act Amendment * [150]; Drainage and Improvement of Lands (Ireland) Supplemental (No. 2) * [151].

econd Reading—Public Parks (Ireland) * [147].

eport of Select Committee—Endowed Schools (No. 2) [P. P. 256].

ommittee—Bankruptcy (*re-comm.*) [97]—R.P.; Marriage with a Deceased Wife's Sister [23], *debate adjourned.*

ommittee—Report—Assessed Rates * [21-149]; Poor Relief (Ireland) Act (1862) Amendment * [117].

eport—Endowed Schools (No. 2) * [115].

Withdrawn—O'Sullivan's Disability * [108].

The House met at Two of the clock.

RIVER THAMES AT BARKING.

QUESTION.

COLONEL **FRENCH** said, he would beg to ask Her Majesty's Government, What is the result of the inquiry as to the formation of a bar across the Thames, below Barking, from the sewage of London?

MR. **BRUCE** replied that Mr. Rawlinson, the well-known civil engineer, had been instructed to inquire into the subject. He had made a preliminary inquiry, and had given notice of a public inquiry, which was to be held on the 21st instant. That inquiry would be prosecuted with all due diligence, and the Report, when made, would be laid upon the table of the House.

BANKRUPTCY (*re-committed*) BILL. [BILL 97]

(*Mr. Attorney General, Mr. Solicitor General.*)

COMMITTEE. [*Progress 3rd June.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 32 (Power for landlord to distrain for rent.)

MR. **MORLEY** moved, in page 15, line 3, after "one" insert "half," the object being to enable the landlord to claim full payment in respect only of half a year's rent instead of a whole year. He had never been able to understand why a landlord should be placed in a better position with regard to his rent than the ordinary tradesman with reference to the debts that were due to him. He proposed the Amendment on this further ground—that landlords, in allowing their rent to run into arrear for twelve months, often prejudiced the estate.

THE **ATTORNEY GENERAL** said, that it was impossible to pass this Bill during the present Session without submitting to compromise, and he was therefore disposed to agree to the Amendment.

THE **SOLICITOR GENERAL** said, this was a very serious question, though he thought it could not be properly discussed on the present occasion. For his own part, he confessed he could never see why a man should be able to seize the goods of A for the debts of B. Still, such was the law, and he supposed that as long as the law existed it must be administered.

Mr. MORLEY said, that his Amendment did not relate to the state of the law. Whenever that came forward for discussion he should be prepared to show it was such a law as would never have been listened to if the landlords had not made it.

Amendment *agreed to.*

Clause, as amended, *ordered* to stand part of the Bill.

Clause 33 Clause B (Proof in case of rent and periodical payments) *agreed to.*

Clauses 34 and 35 *agreed to.*

Clause 36 (Allowance to bankrupt for maintenance or service.)

Mr. NORWOOD moved, in page 15, line 25, to leave out "consent," and following words, to and including "meeting," and insert "sanction of the committee of inspection."

Mr. ANDERSON observed that the Scotch law was extremely jealous upon this matter of allowances; and although very great powers were given to the committee of inspection, yet the allowance could be granted only with the sanction of the creditors themselves. He hoped that the Amendment would not be pressed.

The ATTORNEY GENERAL said, he thought that the power of making an allowance should not be given to the inspectors but only to the creditors as a body.

Amendment *withdrawn.*

Clause *agreed to.*

Clause 37 *agreed to.*

Clause 38 (Provision as to secured creditor) *agreed to.*

Clause 39 (Distribution of dividends) *agreed to,* after short discussion.

Clauses 40 to 42 *agreed to.*

Clause 43 (Bankrupt entitled to surplus.)

Mr. G. GREGORY moved, in line 37, to insert—

> "And after payment to the creditors who have proved of interest on their debts at the rate and in the order following:—1. All creditors whose debts by law carry interest shall first receive interest on those debts as from the filing of the petition for adjudication at the rate reserved or by law payable or proveable thereon. 2. All other creditors who have proved shall then receive interest on their debts as from the filing of the petition at four per centum per annum."

Mr. JESSEL said, the hon. Member proposed to put upon the bankrupt the obligation of paying interest on debts which by law did not carry it. It was very seldom, indeed, that the bankrupt paid in full at all, and certainly in that extraordinary case they ought not to impose on him an additional burden beyond that to which he was legally liable.

The ATTORNEY GENERAL was of opinion that it would be pushing things too far to enforce the interest as well as principal in full.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 44 and 45 *agreed to.*

Clause 46 Clause E (Order of discharge.)

Mr. RATHBONE moved, in page 17, line 21, to leave out "for an order of discharge," and insert—

> "For an order of protection; and when a bankrupt has obtained an order of protection he shall not be liable to any suit or proceeding for any debt proveable under the bankruptcy, but the Court may from time to time examine him, or any persons able to give an account of his property, and if satisfied that he is able to pay any sum for the benefit of his creditors, may order payment accordingly until the debts are paid in full, or if he dies leaving assets the Court may attach the assets for the like purpose."

The hon. Member said, the Amendment was in accordance with the sound English principle that a man was bound to pay his debts as soon as he was able. The clause as it now stood would permit a man to obtain a discharge when he had paid 10*s.* in the pound, and a great temptation to the commission of fraud would thereby be afforded. When a man in the course of trade found that his assets would not realize 10*s.* in the pound he would be tempted to buy fresh goods, for which he could not reasonably hope to pay, for the sole purpose of increasing the amount of his assets, so that, while as an honest man he could not claim a release under the Bill, he might, by becoming a dishonest man, go before the Court and get a discharge. The public, he might add, had an interest in the matter which was not always identical with that of the individual creditor, for if we were to have a continuance of that over-speculation and over-trading which had recently prevailed to such an extent the commercial prosperity of the country must be seriously affected. Over-trading caused fluctuations in the price of labour, and those fluctuations were most detrimental to the morality of our population. He hoped, therefore, the Attorney General would adopt the Amendment which e proposed, and thus base his Bill on a und, clear, and intelligible principle.

MR. SAMUDA said, he quite agreed ith all the hon. Member had said in spect to the necessity of caution in eir legislation against overtrading or ckless trading. But the Amendment ised no less a question than whether ey should abandon the Bankruptcy aw altogether. He was of opinion at any man who paid 10*s.* in the pound ight reasonably be presumed to be— d in practice was found to be—an onest and straightforward man. Al-ough the clause gave the debtor who aid 10*s.* in the pound the right to his ischarge from the Court, his creditors ould still be enabled to follow his state, if any remained, until they re-ived a settlement in full of their claims. e thought, however, it would be a very arsh enactment to empower the creditors follow the bankrupt throughout his fe and to seize upon his after-acquired roperty until their debts were paid in ll. He thought that private arrange-ents, which were after all the most dif-lt cases to reach, might be met in this anner—namely, that where a second ankruptcy took place, any previous ivate arrangement might be made to me within the scope of the Court, and nder the debtor liable to the extent of 0*s.* in the pound on both sets of debts.

MR. STEPHEN CAVE said, that he ought mixing up the punishment of btors with the payment of creditors was the foundation of many mistakes. The ject of the Bankrupt Laws was to col-ct and distribute the assets of debtors. a man committed a criminal act he ght to be punished by the Criminal aw, and not by the Bankruptcy Law; d if the Criminal Law was defective that respect it ought to be amended. he object of a Bankrupt Law was to in-ce a bankrupt to surrender as much his estate as possible, and as soon as ssible, for the benefit of his creditors, d such after-acquired property as ght be declared liable by the Court. suspend the order of discharge be-nd the point fixed by the clause would ive a man to desperation, and entirely feat the object for which Bankrupt ws were passed—namely, to collect as ch money as possible for the benefit the creditors.

THE ATTORNEY GENERAL said, e proposition of the hon. Gentleman the Member for Liverpool (Mr. Rathbone) went too far, and if the Committee decided on adopting it they had better abolish the Bankrupt Laws altogether. The provisions of the clause in the Bill were such that he felt certain it would be an inducement to a man to stop payment at a time when he was comparatively solvent. His future-acquired property would be liable to the full extent under an order of the Court, and he (the Attorney General) considered that the Bill was the best solution of this difficult subject. It was now proposed to go farther against a bankrupt than the law had ever before gone, and he considered it was going far enough.

MR. BARNETT approved of the clause in the Bill. The proposal of a 10*s.* dividend was a great improvement on the present law, and he thought five years was not too long a period to give a man in which to recover himself.

MR. RYLANDS admitted that he would regret the adoption of the Amendment if it should prove fatal to the Bill; but, at the same time, was not surprised that the hon. Member for Liverpool had brought this question before the House. They had seen numerous instances where men made private arrangements under which they paid a small sum, and were, a short time afterwards, seen living in large houses and driving splendid equipages, with every appearance of great wealth. Previous legislation had dealt too compassionately with the debtor, and it was that that had done so much commercial harm. He hoped the hon. and learned Gentleman would see his way to adopt the Amendment of the hon. Member for Liverpool.

MR. MORLEY believed that he spoke the sentiments of the Chambers of Commerce throughout the country, except Liverpool, when he objected to this 10*s.* line. They saw no virtue in 10*s.* as a guide to the integrity of a man in his dealings. Many of the Chambers recommended 6*s.* 8*d.*; but, generally, they objected to have any sum stated. A man who was in difficulties might be below the 10*s.* line, and might go into the market and buy goods in order to place his assets above this line. He had given notice of his intention to move Amendments that the majority of the creditors should have power to discharge the bankrupt without any reason except through sympathy with him;

that the Judge, when satisfied that the bankrupt's failure arose from unavoidable misfortune, should have power to discharge him; and that, in the absence of either of those conditions, the Court should be able to assess his future-acquired property to such an extent as the justice of the case might require. If they were to have a line, 5*s.* might be ample in one case, and 15*s.* not too much in another. Therefore, he proposed to leave it to the Court to say what amount of the future-acquired property should be appropriated in discharge of the liabilities of the bankrupt. In general, the remark of overtrading did not apply to the trade of England. The great staple trades of the country were based upon capital, and a majority of the traders who were brought down are more the objects of sympathy than of punishment. He objected distinctly to the Amendment of the hon. Member for Liverpool, and suggested that the medium course proposed by him between the proposition of the Government and the proposal of the hon. Member for Liverpool. was the proper one to adopt. The cases were constant and numerous in which kindly treatment, instead of a hard judicial bearing, was the best course to adopt.

Mr. GOSCHEN said, that the Government really suggested a middle course between the Amendment of the hon. Member for Liverpool (Mr. Rathbone) and the proposal of the hon. Member for Bristol (Mr. Morley). Representing the City of London, he did not think there would be a majority in favour of 20*s.* at the present time. It was a great step to take to make future-acquired property responsible at all, and the sum of 10*s.* was a fair line to take. Before the Committee on the question the line was proposed to be drawn at 6*s.* 8*d.* It was true that there was no principle in any line; but if it were left to the Court, and if the bankrupt should think that the Court was likely to let him off, he would fail to pay altogether. If he had only a choice between the proposals of the Members for Liverpool and Bristol, he would prefer the former, because if the matter were left to the Court, they would not arrive at the result they desired to accomplish by this clause.

Mr. ASSHETON CROSS approved of the clause as it stood in the Bill. The Amendments of the hon. Member for Bristol (Mr. Morley) if agreed to would introduce the greatest possible uncertainty in the administration of the Bankruptcy Laws, which would be very undesirable. The primary object of Bankruptcy Laws was protection to the bankrupt, but the main object was to collect as speedily as possible the estate, and distribute it amongst the creditors.

Mr. CRUM-EWING said, he voted for a discharge on the payment of a 6*s.* 8*d.* dividend, but he felt rather inclined to the proposition of the hon. Member for Bristol, that when a certain portion of the creditors wished to give the debtor a discharge they would thereby indicate their opinion that the debtor had acted honestly.

Mr. JESSEL said, he should conceive it to be a great loss if the Bill did not pass. It had been said that to leave a man liable for his debts would destroy him altogether by preventing him from earning money in future. But in all matters of legislation, before we went to hypothesis we consulted experience; and in making inquiry of experience in England, we were told by the learned Attorney General that the reasons for the proposition of the hon. Member for Liverpool (Mr. Rathbone) were altogether unfounded. But England was not the only commercial country in the world. What was the legislation of our great neighbours? Thei legislation had been uniform. The had left the debtor to pay his debts notwithstanding that he was a trader and he asked any hon. Member wh knew anything of France or Belgium whether it was true that a man wh became a bankrupt ceased to exert himself? It was notorious that a Continental banker and financier, well know for his hospitality, used to state at hi table—"I date my fortune from my thir bankruptcy." And this was one of th richest men in Europe. But every or who heard him was aware that he ha paid his debts. In France, Italy, Be gium, and the North of Germany th law was that bankruptcy did not di charge the debtor from the payment his debts; the creditors were called t gether, and if a majority in numb and a majority of three-fourths in val discharged him therefrom he was di charged, otherwise he remained liab for all time to the payment of the whc f his debts. The creditors, it was true, ould not sue him, but the assignees ould. But there was the experience of ur own country to the same effect. ngland had been a commercial country or centuries. Our present law dated from 842, which was comparatively yesterday. Vhat was the law before 1842? Why, rom the time of Henry VIII. to Queen nne, bankruptcy did not discharge the ankrupt from his debts at all. It discharged the bankrupt from imprison- ent only. But from the time of Queen nne, by the consent of four-fifths of his reditors, a bankrupt was discharged rom his debts. In 1842 the power of ischarge from debt was given to the ourt of Bankruptcy. The proposal of e hon. Member for Liverpool would eave the bankrupt liable not to the enal consequences of bankruptcy, but nly to the payment of his debts. In 861, for the first time, the benefit or e disadvantage —he cared not which was called—of bankruptcy was ex- ended to the non-trading part of the mmunity. Now what was the law, efore 1861, as respected non-traders. on-traders could only be relieved from nprisonment by passing through the solvent Court but were not relieved om their debts. It seemed to him ntrary to morality and good sense to cuse a non-trader from the payment his debts. A great statesman said at misfortune was generally another ame for imprudence, and that saying hich applied to every career in the orld was emphatically applicable to mmerce. He believed the dishonest aders were in a small minority. The st object of the Bankruptcy Law was distribute the property of the bank- pt among his creditors; the second, discourage reckless trading. At pre- nt, however, the law offered a man a emium for recklessness. In Con- ental countries, and in England in mer times, recklessness was not en- raged; but it had been encouraged the legislation since 1842. He thought clause was of the greatest import- ce, and that it ought to be accepted.

Mr. BARING said, if he believed the nendment of the hon. Member for Li- rpool (Mr. Rathbone) would put a stop reckless speculation and gambling in de, he would support it. But, in past nes, and in recent times, Parliament l legislated in a way to encourage those evils. It was by the Limited Liability Act that they had given rise to a sort of commercial gambling, which was disgraceful to the country, and which had been ruinous, not only to traders, but also to a number of unfortunate persons who had been led astray, to their own injury and that of others. Well, that being so, could he suppose that, by punishing the bankrupt and depriving him of all freedom unless he paid 20*s.* in the pound, we should prevent that bad state of things? He did not believe that by making the discharge very difficult, perhaps impossible, they would benefit the community at large. Two courses had been proposed for adoption; one by the hon. Member for Liverpool (Mr. Rathbone), which said to the bankrupt—"You shall not be free till you pay 20*s.* in the pound;" and the other by the hon. Member for Bristol (Mr. Morley), which would make it matter of chance whether the bankrupt paid anything. It appeared to him that the course which the Government had pursued was the wise course—the attempt to secure that the trader should not spend his very last shilling before he stopped, and speculate to the last. He should therefore support the provisions of the Bill.

Mr. GILPIN said, that the tendency of the Amendment was to make the Bill as much in favour of the creditor as the past legislation of the House had been in favour of the debtor. He approved of a middle course. There were often good reasons why a man could not pay 20*s.* in the pound; and to pursue him mercilessly in such a case was a step in the wrong direction. The Bill must be fair and just, in order that it might be carried out with the approbation of the country, and he would therefore support the proposition of the Attorney General.

The LORD ADVOCATE said, that if one of the recent speakers, instead of crossing the English Channel, had crossed the Tweed, he would have met the same result as by travelling to France or Belgium. A majority of the creditors, and four-fifths in value, could give the bankrupt a release. The Amendment of the hon. Member for Liverpool (Mr. Rathbone) would shut out the bankrupt altogether from discharge, even though his creditors were perfectly willing that he should go free.

He could not see any object in that, unless it were the punishment of the bankrupt. But why should the bankrupt be punished for an act of bankruptcy? They could not protect commercial morality when they were dealing with the question how to divide the assets of the bankrupt in the most rapid and effectual manner among his creditors. It appeared to him that the clause was framed upon a proper principle, and there was a valuable addition to it; which was that the bankrupt had five years in which to make up his 10*s.*, so that they would neither shut him out from hope altogether, nor, on the other hand, would they have the scandal of having a bankrupt going about as if nothing had happened.

Mr. STAVELEY HILL said, there was really no hard and fast line whatever. Though 10*s.* in the pound was fixed, it rested with the creditors if they chose to take a lower amount; and, on the other hand, if the bankrupt had any property or reversion, the court might refuse his discharge.

Mr. W. FOWLER said, he thought they had now come to the crucial question under that Bill. It was unwise to give the creditors power to make arrangements with the debtor, by deed, without the intervention of the court. Almost all the scandalous cases of which they had heard were cases of arrangement by deed, and not within the court; and they would never have a satisfactory Law of Bankruptcy, until they got rid of those arrangements by deed. When a man failed in business there ought in every instance, without exception, to be an inquiry into the cause of his failure. By the Bill, unless the debtor paid 10*s.* in the pound, he could not get a discharge without the consent of his creditors. By giving the creditors power to let a man off, it came to this, that each debtor had a different tribunal to deal with him; and creditors, he must say, were an irresponsible and capricious tribunal. Was it more expedient, for the interest of the whole community, that they should keep bankrupts with a millstone of debt for ever hanging about their necks, or that they should discharge them? He thought it would be more expedient that they should let the debtor off under proper restrictions—and the whole question before them was as to what were those restrictions. As the Bill stood, the court could not move without the consent of the creditors, which he did not think was a proper state of things. He could not support the proposal of the hon. Member for Liverpool (Mr. Rathbone), which would be seriously injurious to trade. The truth was, they had been too lenient for many years, and now they were in some danger of going to the opposite extreme of excessive severity.

The ATTORNEY GENERAL said, that the Bill did not place the discharge of the debtor at the absolute will of the creditors, but only enabled them to discharge him if they passed a special resolution by the vote of three-fourths in value and a majority in number declaring that, in their opinion, the bankruptcy had arisen from unavoidable misfortune. He was quite alive to the evils incident to the system of assignments by deed, and some attempt to remedy them had been made in the Bill by providing that no deed of assignment should take effect unless, at a general meeting of the creditors, a trustee had been appointed. That would be, to some extent, a safeguard against the clandestine assignments that now so frequently took place. But the question of deeds of arrangement would arise at a later stage of the Committee, and he would not now anticipate the discussion upon it.

Mr. WALPOLE said, the only question immediately before them was the Amendment of the hon. Member for Liverpool (Mr. Rathbone). They had to decide a most important and most difficult point—namely, what were the circumstances under which a bankrupt was to be entitled to his discharge. While they talked of men being bound to pay 20*s.* in the pound, it should not be forgotten that recent legislation had occasioned a vast amount of the commercial distress which had prevailed. The Returns presented annually to the House showed in reference to the limited liability, or joint-stock companies, either wound up, or in process of winding up, that their nominal capital was £136,000,000; their paid-up capital only £23,000,000; and their liabilities £74,000,000. In regard to bankruptcies, the Returns for the last year—which corresponded substantially with those of the previous four or five years — proved this — that there were about 9,000 bankruptcies, of which about 1,700 paid some dividend, nearly 6,00 aid none, and about 900 paid a divi-end under 2*s.* 6*d.* in the pound, and hat out of the whole number not more han 120 or 130 paid a dividend of 10*s.* r upwards. Well, in the face of these acts, would it be wise to insist, as the on. Member for Liverpool proposed, hat, unless the bankrupt paid the full 0*s.* in the pound, his discharge should e withheld? Would such a provision be kely to operate effectively in preventing eckless trading? There was, of course, o magical virtue in a limit of 10*s.*; but, ll things considered, he thought it a easonable one, and, taken in connection ith the other provisions of the Bill, it vould probably work very well. He hould certainly vote against the Amend-ient of the hon. Member for Liverpool.

MR. RATHBONE said, he thought was clear that public opinion was not repared for the Amendment, which herefore he was prepared to withdraw; ut that which he proposed had been he law a long time in America, and had been found to involve no hard-hip. As to the imputations made against iverpool, he was not prepared to say was free from them; but the grossest nd the greatest number of scandals ap-eared in the metropolis. No doubt Eng-shmen were apt to carry out a new rinciple to a ridiculous extent; but it as unjust to charge everything to the rinciple of limited liability, when the reatest scandal of all had virtually ccurred before the principle was applied it.

MR. M'MAHON said, that he thought would be very desirable to introduce to England the practice observed in merica—namely, that in the case of a st bankruptcy the debtor should be mpelled to pay 50 per cent of his lia-lities, and in the case of a second nkruptcy 70 per cent of them, under in of his having his order of discharge thheld. That would be a very good ecedent for us to follow. The French actice was not one that we could very ell follow.

MR. BAINES said, that the Chamber Commerce and the Trades Protection ciety of Leeds believed the Govern-ent Bill best secured the interests of editors.

MR. HENLEY pointed out that a rd and fast line of 10*s.* would press rdly on humble traders and debtors compared with large ones. If a man failed for £1,000, and had assets worth £550, the necessary legal expenses would absorb more than £50 of that amount, and the debtor would consequently be excluded from the benefit of this Act. He knew that justice was aimed at, and yet injustice would be done.

THE ATTORNEY GENERAL remarked that a hard and fast line must always be a hardship on one side or the other. That could be obviated only by a sliding scale, which was impracticable.

MR. MUNTZ expressed his belief that a hard and fast line would not work satisfactorily. He thought it would be well to postpone the clause for future consideration.

Amendment, by leave, *withdrawn.*

MR. PEEK moved, in page 17, lines 27 to 29, to leave out "that a special resolution of his creditors has been passed to the effect," and "in their opinion"; and after "unavoidable misfortune," insert—

> "And that the bankrupt is not chargeable with rash and hazardous trading, speculation, gaming, extravagant expenditure, or other dishonest or improvident conduct."

Creditors were notoriously capricious, and the question of the bankrupt's discharge might, under any circumstances, be left with much greater confidence in the hands of the Judge. Whilst speaking on the subject he thought it very desirable that it should be stated, if possible, who the chief Judge under the Bill would be. Much interest was felt upon the subject. He objected very much to the hard and fast line of 10*s.*, and thought that the whole subject of the discharge ought to be left to the discretion of the Judge.

MR. NORWOOD objected to the Amendment. At the same time he thought the clause might be amended by simply requiring the creditors to pass a resolution stating that, in their opinion, the debtor ought to have his discharge, instead of making them declare, as was now proposed, that his bankruptcy had been caused by unavoidable misfortune.

MR. ALDERMAN W. LAWRENCE expressed a hope that the Attorney General would adhere to the clause as it stood.

MR. ALDERMAN SALOMONS said, he thought that the creditors would easily be able to determine what were and what were not unavoidable misfortunes, and the words being general would leave much more liberty to the creditors than they would otherwise have.

Mr. MORLEY asked if there was any virtue in the words "unavoidable misfortune?" Was not the wish of the creditors in favour of a bankrupt's discharge when expressed by a proper majority to be sufficient?

Mr. Alderman LUSK said, he hoped that the clause would be retained.

The ATTORNEY GENERAL said, he thought those words were right. The rule was that the bankrupt was not to be discharged unless he paid 10*s.* in the pound; but he might be discharged on paying 1*s.* or nothing at all, under certain circumstances—namely, the decision of the creditors that the bankrupt had suffered from unavoidable misfortune. He thought that the words were quite right.

Amendment *negatived.*

Mr. WALPOLE said, he hoped the Attorney General would re-consider his opinion. He thought he might insert other words quite meeting his purpose, which would not leave the clause open to a very serious objection. The result of passing the clause as it now stood would be that 9,000 debtors would be thrown on the world, who could not by any possibility obtain their discharge, even though the creditors desired it, unless they could show that their bankruptcy was occasioned by what was called unavoidable misfortune. It would meet the difficulties of the case if the creditors, instead of saying that the bankruptcy had arisen from unavoidable misfortune, should pass a resolution to the effect that his bankruptcy had not arisen from any misconduct of his own.

Mr. HERMON objected to a bankrupt being allowed to obtain his discharge upon the simple condition of paying 10*s.* in the pound. A dividend of 10*s.* might be as fraudulent as one of 1*s.*

The SOLICITOR GENERAL pointed out that the question of the hard and fast line of 10*s.* had already been decided. The point now before the Committee was whether a bankrupt should be discharged when a majority of his creditors passed a resolution to the effect that his bankruptcy had arisen from unavoidable misfortune. They would no doubt put a liberal and common-sense construction upon the words "unavoidable misfortune."

Mr. Alderman Salomons

Mr. HUGHES was in favour of the right hon. Gentleman's (Mr. Walpole's) proposal.

Mr. NORWOOD said, that his experience was that every bankrupt attributed his difficulties to unavoidable misfortunes.

Amendment *negatived.*

Mr. WALPOLE said, he thought that the negative form was preferable to that in which the clause now stood, and he would therefore move that, instead of having to decide that the bankruptcy had arisen from unavoidable misfortune, the creditors might pass a resolution that, in their opinion, it had not arisen from culpable misconduct.

The ATTORNEY GENERAL preferred the words as they were, but he had no objection to their being altered to "misconduct;" the qualifying word "culpable" proposed by the right hon. Gentleman he could not agree to.

Mr. WHITWELL *moved,* in page 17, line 41, after "said Act" to insert—

"For the purposes of this section, creditors on bills of exchange or promissory notes shall be reckoned in value only for the balance after deducting all sums paid on such bills or notes by persons liable thereon other than the bankrupt."

Mr. JESSEL said, that the Amendment would destroy the commercial value of all bills of exchange, and contended that the creditor was entitled to hold his proof until he was paid in full.

Amendment *negatived.*

Clause *agreed to.*

Clause 47 (Effect of order of discharge).

Mr. MORLEY moved in page 18, line 2, to leave out "provable under the bankruptcy," and insert—

"And obligations contracted by him or for which he was liable at the date of his bankruptcy."

His object, he said, was to secure the bankrupt from all liabilities. If the bankrupt were to give up all his assets, he ought to be free from all liabilities.

Mr. STAVELEY HILL said, he did not think the words necessary. Clause 29 answered all the hon. Member's purpose.

The ATTORNEY GENERAL, observing that the Amendment involved the omission of the words "provable under the bankruptcy," said, that if a man failed to include a debt for which he was liable in his schedule he should abide by the consequences. He joined in the opinion that the Amendment was unnecessary, and with respect to shares, said they would form part of the estate, and would be sold in the ordinary way. In this way the bankrupt's liability in respect of them would be transferred.

Amendment, by leave, *withdrawn.*

MR. RATHBONE moved in page 18, line 12, after "therefrom" to insert—

> "And he shall not be discharged from any debt or liability incurred by means of any fraud, false pretence, or breach of trust, nor from any debt or liability whereof he has before bankruptcy obtained forbearance by any fraud or false pretence."

Amendment *agreed to.*

MR. SERJEANT SIMON moved in page 18, line 2, after "of," insert as paragraph 1, as follows:—

> "1. Damages awarded against him in any action for assault, libel, slander, breach of promise of marriage, adultery, or seduction;"

and to alter the numbering of the two following paragraphs accordingly.

THE ATTORNEY GENERAL said, that the point was provided for in another clause.

Amendment *withdrawn.*

Clause, as amended, *agreed to.*

Clause 48 *agreed to.*

Clause 49 (Possible allowance to bankrupt after discharge).

MR. ANDERSON moved that the clause be struck out, as it carried the idea of benevolence to the bankrupt to a dangerous extent. He thought it would be most objectionable to allow a majority of the creditors to coerce the minority into maintaining the bankrupt after his discharge.

THE ATTORNEY GENERAL said, he had no objection to strike out the clause provided there was a general wish to that effect.

MR. MUNTZ objected to striking it out. It was based upon an old statute, and had hitherto worked well.

Clause *struck out.*

Clauses 50, 51, and 52 *agreed to.*

Clause 53 (Status of undischarged bankrupt).

THE ATTORNEY GENERAL stated that, as there were a good many Amendments for striking out sub-section 1, he would avoid discussion by complying with them.

Sub-section 1 *struck out.*

MR. SERJEANT SIMON then proposed to move an Amendment of which he had given notice. On sub-section 2, in page 20, line 8, after "property" insert—

> "Nevertheless if during the said period of five years the bankrupt shall not have paid to his creditors such additional sum, the Court in which the bankruptcy proceedings had been instituted, or any Court having jurisdiction in bankruptcy in the place or district where the bankrupt resides shall, at any time during such period, until such additional sum shall have been paid upon the application of the trustee or of any creditor, summon the bankrupt to appear before such Court, and the Court shall examine and inquire into the affairs of the bankrupt, and the bankrupt shall produce such of his books, and file such accounts, and make such disclosure of his affairs, and in such manner as the Court might require; and if it shall appear to the satisfaction of the Court that the bankrupt, since the date of his bankruptcy, has acquired property and, regard being had to debts or liabilities incurred by him since such date, that he is able to pay a further dividend, the Court shall order such after-acquired property, or so much thereof as it shall see fit, to be applied to the payment of such further dividend; and upon the making of such order such after acquired property, or so much thereof as aforesaid, whether the same shall consist wholly or in part of things in action or otherwise, and the trustee shall exercise in respect thereof, and shall be subject to all the provisions of this Act, as if the same had been the property of the bankrupt at the date of the bankruptcy; all costs of such application as aforesaid shall be borne by the trustee or creditor by whom the same was made unless the Court shall make such order as aforesaid."

THE ATTORNEY GENERAL considered that the adoption of the Amendment would altogether defeat the Bill; but he was prepared to reduce the time allowed to the bankrupt to recover himself from five years to three years. The bankrupt could not recover himself if it were in the power of any creditor at any time to put the court in motion against him. All his credit would be destroyed, and any chance of recovering himself would be also destroyed.

Amendment *withdrawn.*

MR. PEEK moved to omit sub-section 3.

THE ATTORNEY GENERAL said, that if this were done the whole principle of the Bill would be destroyed. He hoped the Amendment would not be pressed.

House *resumed.*

Committee report Progress; to sit again upon *Friday,* at Two of the clock.

ABYSSINIAN WAR.

MOTION FOR A SELECT COMMITTEE.

MR. CANDLISH in rising to move the appointment of a Select Committee to inquire into the causes of the great excess of cost in prosecuting the War with Abyssinia over the Estimate submitted to Parliament, said, in a discussion which took place in this House on the 26th July, 1867, it appeared from the speech of the noble Lord the then Foreign Secretary (Lord Stanley) that the possibility of a war with Abyssinia had become somewhat dimly visible to the House and the country. The necessity for a warlike demonstration became more apparent to the minds of the then Government in the early part of the month of August in the same year, and so far had the probability of war advanced that in November the Government of the day thought it expedient to call the House together to communicate their policy to the country and to ask for the necessary Supplies for prosecuting a warlike demonstration against the King of Abyssinia. When the House met in November he believed he was correct in saying that there was a general concurrence of opinion in favour of the Expedition. He (Mr. Candlish) at least was one who concurred in the propriety of it; and the House at large, almost by a formal vote, more than tacitly, acquiesced in its policy, for it granted the necessary Supplies. It was easier to acquiesce in the policy of that Expedition than it was in the policy which made the Expedition necessary. It was easier to justify a warlike enterprize to release Consul Cameron and our countrymen who were detained prisoners in Abyssinia than it was to justify the policy which sent Consul Cameron there. He apprehended that if we had learnt nothing more from that Expedition, we had at least learnt this—that it was unwise for any civilized Government to attempt to establish consular or diplomatic relations with a semi-barbarous power. A nation at the head of civilization could in no degree deflect from the principles of truth, honour, and integrity; and could not with propriety, as he conceived, have any diplomatic intercourse with a nation which did not even understand the meaning of these terms. But the policy which sent Consul Cameron to Abyssinia, and the policy of the war which was undertaken by this country for his release, were not questions before the House to-night. The main question raised by the Motion which stood in his name on the Paper was the cost of that war in comparison with the estimate of expense which had been laid before the House. He should have very little to say on that question beyond quoting the language used in that House by the statesmen concerned in despatching the Expedition, for that language was shorter and clearer than any he could himself command. On the 26th of November, 1867, the right hon. Gentleman the Member for Buckinghamshire, then filling the office of Chancellor of the Exchequer, after detailing the decision of the Government and the progress made in preparing the Expedition, asked for a Vote of £2,000,000 towards defraying its expenses, and used these words—

> "It will now be my duty to explain the probable cost, as far as we can ascertain, of the war in which we may have to embark, and for which we have to a great degree prepared, and also to explain why I have fixed upon £2,000,000 as the amount which it is, on the whole, wisest and best to vote under the present circumstances. The Committee is entitled to the fullest confidence in this matter, and I do not know that I can proceed in a manner more satisfactory to the Committee, as well as to the Government, than if I place before them all the information that we have upon the subject, and state what we believe will be the complete cost of this war if it should commence and be pursued not only to its probable but to its possible termination. The Estimates before us, I need hardly remind the Committee, cannot be prepared with the precision with which Estimates are usually laid upon the table of the House, because they refer to expenditure taking place in a distant country, and they must therefore be described as "rough Estimates;" but I wish the Committee to understand that though I avai myself of an epithet in common use and call them rough Estimates, they are not careless Estimates They have been submitted to as severe an investigation as was possible under the circumstances to much criticism and to the judgment of mos experienced men, and they have led to considerable inquiry, even in the distant places where th expenditure must to a great degree take place We offer them, therefore, with as much confidenc as we have a right to feel, and that confidenc is by no means slight. Assuming, then, that th war commences, and is carried on until the en of the month of April, about which time it woul be expedient that our troops should leave Aby sinia, we believe it will be necessary that w should incur an expenditure of £3,500,000. Th amount will no doubt be increased if we are calle upon to replace the forces of the Indian Gover ment that are now assisting Her Majesty in th enterprize; but the increase will not, compar tively speaking, be considerable—I say compar tively speaking, because I have seen the most a

surd Estimates on that head in the public papers. In case we have to replace the forces which the Indian Government now lend to Her Majesty, there will be an increase in the Estimate of £300,000, more or less. That is the whole amount which we believe would be required, and would give a total expenditure of £3,800,000; but the Government would contemplate the possibility of an expenditure, in round numbers, of £4,000,000, if we have to replace those troops. Now, of this £3,500,000, £2,000,000 alone will be payable by the Home Government during the present financial year—that is, the year ending on the 31st of March—that is to say, £2,000,000 to meet the advances and make the allowances on account to the Indian Government, which would become due before that day, and to make good those advances which have been supplied by the services at home from the appropriated Votes. It certainly will not exceed the sum of £2,000,000 in the course of the present financial year; and Her Majesty's Government are therefore of opinion that it is unnecessary to trouble the Committee of Supply for a greater amount than that. There is also another reason—though I think I have already given a sufficient one—why it is convenient not to contemplate at the present moment a greater expenditure than £2,000,000: for, as far as we can calculate it will take exactly that sum to place our complete force upon the soil of Abyssinia. I think that General Napier may find himself with his army completely equipped and ready for action in Abyssinia, at a cost of £2,000,000. I do not wish to indulge in any sanguine expectations; but we ought not to be blind to this contingency, that after these great preparations, and after the invasion of Abyssinia by disciplined troops, it is possible that the future horrors of war may be spared."—[3 *Hansard*, cxc. 191-2.]

This was spoken on the 26th November, and two days afterwards the statement was confirmed, if confirmation was needed, by the noble Lord the Secretary for Foreign Affairs (Lord Stanley) in the most definite and precise terms, and the House received it with that implicit confidence which it was bound to exercise on an occasion of an official statement made under circumstances so grave and with such particularity and definiteness. The House re-assembled in February, and rumours being prevalent that an increase of expenditure would be necessary, the hon. Member for Peterborough (Mr. Whalley) asked the right hon. Gentleman the Member for Buckinghamshire if the Estimates for the war were likely to be increased. The reply was—"I have no reason to believe that the Estimates for the Abyssinian Expedition have been exceeded." This was on the 20th February, 1868, and when further pressed on the subject by Mr. Darby Griffith, then a Member of the House, the right hon. Gentleman said—

> "I thought my previous answer was sufficiently explicit, and I can only say I have no reason whatever to believe that the general Estimate I put before the House has been exceeded."—[3 *Hansard*, cxc. 989.]

On the 16th March the hon. and gallant Member for Truro (Captain Vivian) asked the Chancellor of the Exchequer (then the right hon. Gentleman the Member for North Northamptonshire, Mr. Hunt) a similar question. The right hon. Gentleman, in reply, said—

> "I think it has been usual for this House to be content till the Budget has been brought forward in order to learn whether the Estimates have been exceeded or not. . . . . I do not decline to answer the question. The public mind has been made uneasy by exaggerated statements as to the expenditure going on in Abyssinia. . . . . My right hon. Friend the First Minister of the Crown (Mr. Disraeli) stated in November last that it was estimated that if the expedition lasted, as was anticipated, to the end of April, the expenditure would amount to £3,500,000, and in certain eventualities it might extend to £4,000,000. From the last means of information at my disposal, I am able to state that I believe, up to the time I am speaking, the expenditure in Abyssinia will be covered by the lower of these two amounts."—[3 *Hansard*, cxc. 1684.]

The present First Lord of the Admiralty (Mr. Childers) followed up this reply with these more pointed words:—"Did the right hon. Gentleman mean that the expense to the end of April had not been exceeded?" and the reply was that—

> "If the Expedition lasted till the end of April the expense would amount to £3,500,000, and might extend to £4,000,000, but that I believe that the whole of the expenditure up to the present time would be covered by the lower of the two amounts—namely, £3,500,000."—[*Ibid.*]

Up to this time the House will perceive that no hint was given that the Estimates had been exceeded. Nothing further was communicated to the House till the 23rd April, when the Budget speech was delivered; and in that speech it was stated that the supplies to be obtained from the country were much less than had been anticipated, and that in consequence supplies had to be obtained from a distance, and that the Estimates would be increased on that account to about £600,000 a month. Sir Robert Napier anticipated that he would be on his way home on the 20th of April, and that if there were any further charge it would be small in amount, and would probably be defrayed by the Indian Government. The expenses up to the end of May would thus be about £5,000,000. This was a statement made to the House when the late Government must have been in possession of full information on the subject. It was made ten days after the fall of Magdala, and the welcome news of its fall was within two days of these shores.. The calculation as to the time when this event would take place and the prisoners be liberated was fulfilled to the letter. It was in the month of April. Magdala was reached on the 10th; on the 13th it fell; the Abyssinian army was scattered to the winds; and on the 18th the British army was on its homeward march. Within 100 days Sir Robert consummated his mission—released the prisoners and destroyed the fortifications of Magdala. So that in point of fact there was nothing to increase the Estimates. On the 4th of March the right hon. Gentleman opposite (Sir Stafford Northcote) said—

> "What the House has a right jealously to look at is the information that was supplied to it when it was called upon to vote money."—[3 *Hansard*, cxciv. 636.]

When the £2,000,000 was asked for by the Government the estimate was £3,500,000. On the 23rd of April another £3,000,000 was asked for by the Chancellor of the Exchequer, and the estimate was thus increased to £5,000,000. So, according to his own test, the right hon. Gentleman would see that it was fair to quote the remarks at the time to which he had referred. [Sir STAFFORD NORTHCOTE: Hear, hear!] Now, what had been the cost of this war? On the 4th May last the right hon. Gentleman the present Chancellor of the Exchequer said the expenditure was £6,800,000 in India, £461,000 by the War Office at home, £1,262,000 by the Admiralty, £250,000 by the India Office; making a total of £8,773,000. In other words, the actual expenditure was shown to be £5,300,000 in excess of the original Estimate, and £3,800,000 in excess of the second and corrected Estimate which was submitted to the House at the time the Vote was given. These facts, he submitted, amply justified the proposition which he had placed upon the Paper, and the right hon. Gentleman opposite, he believed, far from objecting, in point of fact, invited this inquiry. [Sir STAFFORD NORTHCOTE: Hear, hear!] While inquiry was pending, it was not for him to make charges against any person; but obviously there must have been grave and serious mistakes somewhere. He would assume that the representations made to the House were honestly made, according to the information which at the moment had reached the authorities. Mr. Turner, who supervised the expenditure on the part of the Government, wrote to say—

> "These totals, making altogether £5,000,000, will doubtless prove to be considerably under the actuals when brought to account rather than otherwise."

And Major General Jameson said—

> "Provided the Expedition terminated on the 31st of May, it would not be safe to ask for less than £3,000,000"

in addition to the £3,000,000. In the opinion of the gallant officer £3,000,000 would be a safe amount for which to ask, and if the Expedition lasted beyond the 31st of May a further charge of £600,000 would be requisite for every month beyond that day. Sir Robert Napier reached the coast with his forces in June; at that date, therefore the Expedition might fairly be taken to be at an end, but it might, perhaps, be necessary to allow another month for the removal of materials. In seeking an investigation into the expenditure of all this money the House was engaged in a strictly constitutional work. Public money was voted freely for any object of which the House approved; and it would always maintain the honour of the country by making good an outlay, whether wisely or unwisely incurred, reserving to itself at a later period the right of full inquiry. In answer to the objection which might be possibly urged, that this Motion came too late, and that the Committee, if appointed, could not report during the present Session, the hon Gentleman said that there had been no early opportunity of raising the question with effect, as, even yet, the official information was hardly complete; and the Committee, though unable to report, would at least be able to lay upon the table the evidence which they had taken, and ask to be re-appointed next Session.

SIR STAFFORD NORTHCOTE: After the speech to which we have just listened I can hardly be doing wrong in seconding the Motion, which I am quite as anxious to see adopted as the hon. Gentleman. I desire this—first, upon general grounds, for I think that the ground which the hon. Member has taken is a perfectly sound and legitimate one, and that if the course which he proposes on the present occasion was more frequently adopted in cases where a large expenditure for a particular object has been sanctioned and then exceeded, it would conduce very much to economy, and would have a beneficial effect upon the Executive Government in keeping them up to their duty in these matters. We know very well that, excuse or disguise it as we may, war will always be a very wasteful business; and everybody knows that on occasion of a war there is generally a great deal of public enthusiasm excited, which enables the Government to obtain the sanction of Parliament for entering into it; and that while a war is going on the Government have it entirely in their own hands, and have only to come down to the House and deprecate discussion on the subject, and the patriotism and feeling of the country would always prevent their being hampered. Then, after the war is over, there is too often a tendency to make the best of a bad business—to say—"The money is gone, and now there is nothing to do but to pay the bill." And so one great expenditure after another gets hushed up and slurred over, in a way not for the public interest. I think the hon. Gentleman—if I may say so—has acted very discreetly and entirely in conformity with that which ought to animate the Members of this House in bringing forward this Motion at the time and in the manner in which he has done. He has avoided saying anything which could give any offence whatever; and I thank him, on the part of my late Colleagues and myself, for the language in which he has couched the remarks which he has just addressed to us. I can assure him that we warmly reciprocate his desire to have this matter entirely cleared up. That is one reason why I support the Motion. Another is, that I am confident, when this Question is examined into before a Select Committee, and comes to be really probed by the examination of documents and of witnesses, it will be found that, although it may, perhaps, be said we were to a certain extent to blame for using language which may have given the House and the country an impression of greater certainty on our parts than we ought to have felt; yet it will, I believe, appear that throughout we acted perfectly *bonâ fide*, and that the information which we laid before the House, and the grounds upon which we ourselves acted were grounds such as would have justified any Ministers in our position in taking the course which we actually adopted. I hope, moreover, and I believe it will appear, that the excess which was unfortunately incurred was an excess for which we were not responsible, and for which the circumstances of the war will fully account. I admit that when the hon. Member says we mentioned £3,500,000 or 4,000,000 as the probable cost of the Expedition, supposing it would last till April, and when at a later period we named £5,000,000 as the probable amount, and that when some eight or ten months afterwards it turns out that the estimate has been exceeded by the amount stated by the hon. Member, that is a matter which, *primâ facie*, requires explanation and defence. But I would ask him to bear in mind that the House and the country were perfectly aware that these Estimates were necessarily of a very rough and uncertain character. It was part of the case urged against us by some hon. Gentlemen that we should not have entered into this war at all, because we were undertaking an expedition at short notice into a wholly unknown country, where it was impossible to say beforehand what means and appliances we should meet with—whether we should find the ordinary supplies of provisions, whether we should find any means of transport, whether we should even find a proper supply of water. We knew that we should also be pressed for time, and that if the Expedition did not come to a conclusion by the end of April or the beginning of May we should lose a whole season. We knew that the health of the troops would suffer, that great misfortunes might be apprehended if they were compelled to remain in the country for another season, and that during the whole time they were there the difficulty in supplying our troops with provisions in that unknown country would be very great. Under these circumstances, not having time to communicate as rapidly as we could have wished to do with the base of our operations at Bombay and the country of Abyssinia in which the operations were to carried on, and knowing how long it would take to send out supplies from this country, it was necessary to give a considerable latitude to those upon whose judgment we relied and to whom we entrusted the safety of the Expedition. The principal directions we gave to General Sir Robert

Napier and also to the Government of Bombay, who were charged with the organization of the Expedition, were—"Take care, whatever you do, that you do not incur any disaster. Take care that you do not compromise the safety of the British troops or the honour of the British name. Ask for what you require. Do the matter as economically as you can; but do not let it fail for want of proper provisions and supplies." In that way, we in England necessarily put ourselves to a great extent in the hands of those who had to organize the Expedition—the Government of Bombay and Sir Robert Napier. We endeavoured, as well as we could, to form an estimate of what the expenditure would be. We knew the force of men that was required, and with the aid of the Admiralty and the War Office we endeavoured to calculate the cost of the supplies that it would be necessary to send from this country, and the cost of the transport. By the aid of officers who had had experience in the Persian and other campaigns we formed as good an estimate as possible of the probable cost of the force while it was under arms. But we had no estimate supplied to us from the seat of war or from Bombay that we could lay upon the table of the House, or to which we could refer as representing the expenditure for which we held the Government of Bombay responsible. I may say that I mentioned this to the House at the time that the second Vote was asked for. I laid upon the table a Return, from which I quoted some passages in March last; and in regard to which I said that the information it contained was not so full or so accurate as we could wish, but that we hoped and believed that the sum we were asking for would be sufficient. It now turns out that we were considerably under the mark, because we under-estimated the expenditure that had already occurred, and because we had not foreseen certain events that occurred after the period at which we reckoned on the termination of all expenditure. When I say that we put ourselves in the hands of the Government of Bombay and of General Sir Robert Napier in regard to the expenditure, I desire to say most explicitly that I am not attempting or desiring to throw any blame upon the Government of Bombay or the Commander-in-Chief on account of the extraordinary cost of the Expedition. I should call it very discreditable on the part of the Home Government if we attempted to shift on the Government of Bombay any of the responsibility that properly belonged to ourselves. I wish further and besides to bear my testimony in the most emphatic manner—and the more so because I think that hitherto very scant justice has been done to the Government of Bombay—to the excellent manner in which they performed the very difficult service that was pressed upon them. Perhaps I may be allowed, as an evidence of the difficulties with which the Government of Bombay had to contend, to read a few passages from a letter which Sir Seymour Fitzgerald has addressed to me in reference to the debate that took place in this House in March last—

> "The charges appear to be that the Government of Bombay has committed the country to an expenditure 'monstrously' differing from their estimate; that they have failed since the close of the Expedition to send a proper account of the actual cost; and that the expenditure has been reckless and extravagant. As regards the first point, I wish to say that at no time have I ventured to give any estimate of the probable cost. The preparations had not been commenced a month before it was obvious to everyone here that it was impossible to form even an approximate estimate; and if I had been required to give one I should have declined. We were called on to make provision for 40,000 men and 30,000 animals, and it was necessary that this should be done at once and without the least delay, to insure the early departure of the Expedition. A sudden call of this magnitude deranged the prices in a way to defy calculation, so that we were driven to have recourse to the most distant markets. Further, from the complete ignorance that existed as to the country whither the force was sent, everything had to be provided, not only food for the troops and followers, but hay for the animals, and even firewood for the men. Even at home, where there is nothing that cannot be procured from manufacturers accustomed to supply the ordinary demands of the market, our task would not have been an easy one. But here articles had to be provided the manufacture of which was unusual and almost unknown. For instance, when the preparations for the Expedition were commenced, there were but thirteen spare water tanks in the dockyard. We had to provide, and did provide, in an incredible short space of time a sufficient number to carry more than 4,000,000 gallons of water, though I was told at first by the contractors that so unusual was the manufacture that no contract could be taken for the supply of more than forty, or at the utmost, fifty per week. From our ignorance of the country no one could say whether the Expedition would last two months or two years, and under such circumstances no one in the House or out of it could at that time have understood that any 'estimate,' properly speaking

could pretend to be, or was put forward as a calculation upon sufficient and reliable data. As regards the delay in rendering an account, even if there had been delay, the circumstances I have referred to would have been, I think, a sufficient explanation. The expenditure had been made, it may almost be said, at every port east of Suez—Bombay, Kurrachee, Calcutta, Madras, Aden, Bushire, Muscat, and a dozen places in the Red Sea, and made, too, under different authorities acting independently. The number of vouchers already examined exceeds 25,000, and the net charges actually audited and reported to the Imperial Government amounted to £6,618,000. These have been regularly sent home month by month as fast as the audit was completed. These figures, I think, not only disprove any charge of delay; but I believe I may challenge the production of any instance of a similar expenditure being so quickly and completely rendered."

I mention these facts in order to show the pressure put upon the Government of Bombay, and to explain why we could not receive the information as rapidly as was necessary to enable us to lay trustworthy Estimates before the House. It was impossible to receive these accounts so as to enable us in March to know what the real amount of the expenditure would be. It may be said that this was a very bad and unbusiness-like transaction; but all I can say is, that if you examine the circumstances of any other war you will find that precisely the same thing has occurred on all former occasions. And if we consider, in the case of the Abyssinian Expedition, the great hurry in which the thing was done, and the wide area from which the supplies were drawn, I think it is very much to the credit of the Indian and Bombay Governments, that they have been able to present so complete an account within so short a time as ten months after the conclusion of hostilities. I believe I am right in stating that this has been done, and that the total amount falls within the Estimate given in March last. All these matters, however, will be well sifted before a Committee, and upon their Report Parliament will be enabled to pronounce a judgment. I do not complain of the time in which the hon. Member has brought forward his Motion, or of the deductions which he and others have drawn from the facts as they are now before us. All I ask is, that the final decision of Parliament should be suspended until the matter has been completely inquired into. And although the Committee will be unable to finish its labours this Session, much useful work may be done in ascertaining what information is required, and the quarters from which it may be best obtained, and in framing questions to be sent out to India and answered before another Session. There will also be an opportunity, no doubt, of personally examining officers who may be able to throw light on the subject. I believe that Mr. Turner is now in this country, and others connected with the various War departments may either be in this country or may be invited to come over to give evidence. I am aware it may be said that my Colleagues and myself might have begun to make our arrangements at an earlier date. All that I can say is that we hoped against hope up to the last moment, and until political events happened in Abyssinia of such a character as to leave us no alternative but to commence operations. No doubt by beginning so late, the accidents of the season, and the absence of particular officers, made the preparations more hurried than we could have wished, and hurry in such a case means increased expenditure. It was found that time was running very close; and, although it was calculated that the campaign would be finished by the end of April or the beginning of May, it was impossible to tell what would occur, and whether the force might not have to remain there during the whole year. It was, therefore, necessary to order large supplies to be sent out. Supplies, which would have been necessary if the campaign had been prolonged, were to a great extent wasted or had to be brought back at a time when the monsoon was adverse to navigation, and thus in various ways unlooked-for expenditure was incurred at the close of the Expedition. The late Government court inquiry; they are prepared to take any blame that may be fairly found to attach to them. At the same time they enter upon the inquiry with considerable confidence that the verdict will be one upon the whole very decidedly in their favour, and creditable to the Government of India, and particularly that of Bombay, as far as they had the management of those operations.

Mr. MUNDELLA said, he was sure the House would be as content as he was that the right hon. Baronet (Sir Stafford Northcote) anticipated him in rising to second the Motion; but he would have been better satisfied—and he was sure the House would have been better satisfied—if the right hon. Baronet had not, in the latter part of his speech, elaborately defended and excused the lavish expenditure to which we have been subjected. It appeared to him that much of the defence the right hon. Gentleman had put forward was not exactly founded upon fact, for the circumstances which were supposed to have caused the extraordinary expenditure were all known and calculated upon beforehand, and it was anticipated that the campaign would finish when it did. It was said that the original estimates were of a rough and uncertain character, and that we had no estimates from Bombay or from the seat of war; but the right hon. Gentleman who was then Chancellor of the Exchequer (Mr. Disraeli) in submitting them, said—

> "They have been submitted to as severe an investigation as was possible under the circumstances, to much criticism, and to the judgment of most experienced men, and they have led to considerable inquiry, even in the distant places where the expenditure must to a great degree take place. We offer them, therefore, with as much confidence as we have a right to feel, and that confidence is by no means slight."—[3 *Hansard*, cxc. 191.]

Moreover, the statement that these were rough Estimates could not apply to the 23rd of April, when the war was actually finished. In military and commercial circles the Abyssinian War was regarded as a great scandal, and the expenditure as having exceeded almost all precedent. He did not wish to cast reflections upon the late Government, nor upon the gallant officer in command of the army; but there was fault somewhere, and it was but right that a Committee should immediately investigate the matter, not only that the country might have the satisfaction of knowing what had become of the extra £5,000,000, but that it might also prevent such extravagance in the future. If we were to be again involved in war, it would probably not be a little war with some barbarous prince, but it might be a great war with some civilized nation; and the question was whether in such a case we were again to waste all our resources at the very outset, and so involve the country in immense expenditure and risk. It was well known there was the grossest mismanagement in Abyssinia; that the army sent there was out of all proportion to the work to be done; and that the freights surpassed anything ever known in this country. He had it on the authority of contractors that such things as these occurred—a ship was chartered to take out compressed hay at so much the voyage and at so much per day demurrage; when the captain arrived out with his cargo he was kept waiting for months, charging demurrage, the mules on shore dying meanwhile; he was then ordered away to an Indian port, where he was kept waiting for months; he was then ordered out to sea to throw the cargo overboard; that order being countermanded, he was told—"We don't want the hay; take it away, and do what you please with it;" and he, knowing where he could find a good market, went and sold it and brought home the proceeds to his owners. Numbers of vessels had been kept lying for months under demurrage in Annesley Bay and off Bombay, and the captains had then been ordered to throw their precious freights overboard. At the close of the war 6,000 mules and horses, which had been collected at Suez at an enormous cost, were given away for an old song; and, as another instance of the wasteful and extravagant expenditure, he might mention that 500 women were taken from India to grind corn for the Sepoys in Abyssinia, but that it was afterwards found they had never ground corn in their lives. Men who had seen something of the wars of the last quarter of a century in India, America, and Italy, and who had been with the Austrian army and with the Danish army, said they never witnessed such extravagance as they saw in Abyssinia. It was a war of gold, and altogether a disgrace to us, reflecting the greatest discredit upon those who had the organization and management of it. Under these circumstances it was only right that an inquiry should take place into the matter, and until that inquiry should have terminated he hoped that the House would suspend its judgment, and would not come to the conclusion for which the right hon. Gentleman had contended—that everything was done that could be done, that all things ought to be made pleasant, and that the waste of money could not be prevented. In justice to the British tax-payer he urged investigation.

Mr. EASTWICK said, he had hoped that the debate would have terminated with the speech of the right hon. Baronet (Sir Stafford Northcote), who made such a satisfactory statement. As it had been continued, and the hon. Member for Sheffield (Mr. Mundella) had preferred such strong charges, he would say he felt certain of this that, should the matter be referred to a Select Committee, the zeal and energy displayed by the Bombay Government would receive a more full acknowledgment than it had yet received. He believed that only those who had been concerned in such a task could fully appreciate the labour of organizing an Expedition which comprised 15,000 fighting men. Of course, the markets of Bombay were not able to supply the required stores, and therefore it was necessary to send to other parts of the world to get them, and we were simultaneously buying mules in the Dardanelles, Spain, and Africa, and horses in St. Petersburg. When so many demands were being met, was it possible to form any just estimate of the expenditure? It was utterly impossible, and the Government would have been justified in declining to publish any estimate. The Bombay Government and Sir Seymour Fitzgerald devoted all their time and energy to keeping down the expenses; but many things occurred which it was quite impossible to foresee. The Government had no doubt acted wisely in selecting for the command the best officer they could find, and then leaving to him the conduct of the operations. The force had originally been fixed at 12,000 men; but Sir Robert Napier had asked for 2,000 more, and it was impossible to comply with that demand without a large additional expenditure. Again, the original estimate had been for six months' stores, and it was thought afterwards better to increase that amount to twelve months' stores. When the campaign terminated earlier than had been anticipated a vast amount of stores remained on hand, and it would have been better and cheaper to have left them at Annesley Bay than to have removed them, because it was not possible to sail transports without steamers; indeed, after some vessels had remained for several weeks, it was found to be the cheapest course to throw their cargoes into the sea. When all these things come to be considered, it would certainly be found that there was no reason to impute blame to the authorities; on the contrary, they would receive much greater credit than had been given to them by the country.

SIR CHARLES WINGFIELD observed that it had been left to Sir Robert Napier to determine the strength and composition of the force, and he believed no one was prepared to say that he took too large a force. He did not know what resistance or physical difficulties he would have to encounter, and if he had failed, having had full discretion left him, it would not have been enough for him to say that he had miscalculated the campaign. Was the right hon. Gentleman (Sir Stafford Northcote), then, in error to leave it entirely to Lord Napier to determine the strength of the forces? He thought not. It was impossible for him to calculate the difficulties that lay in the way of the enterprize, and the only thing he could do was to trust the commander, and give him freedom to select what force the nature of the enterprize might require. Sir Robert Napier merely said to the Government of Bombay—"I want so many thousand men; put them down in Abyssinia and give me the means of moving them there." It rested with the Government of Bombay to provide transport and carriage in Abyssinia. Whether they had provided it at a reasonable rate, or whether they had incurred needless expenditure, was a point which required minute inquiry; £4,230,000—nearly half the entire cost—was spent in sea transport; including coals, the cost of the transport was nearly £5,000,000. That did appear to him an excessive sum, and he could not but think that inquiry would show it was a lavish and needless expenditure. On this point inquiry was urgently needed. Pending that inquiry, he received with some reservation the assurance of the right hon. Baronet that the Government of Bombay deserved the thanks of the country for the manner in which it had conducted the necessary preparations for the Expedition.

COLONEL SYKES said, the Expedition had from the first occasioned surprise on both sides of the House. It originated with three Members on the Liberal side, who advocated it on the ground of the insulted dignity of Great Britain, Her Majesty's representative having been imprisoned by a barbarian. Two of those Members were no longer in the House; the third was still a Member. The other side, then in power, took it up as a capital card, thinking that a great deal of credit might be got out of it by redeeming the honour of the country. They certainly deserved great credit for placing their confidence in the ability and judgment of Lord Napier. But, unhappily, the Expedition had occasioned very considerable expense indeed—far beyond what had been anticipated by the Government themselves. At an early period of the year, when discussing the subject, he stated that he had a list of the transports employed in his hand, and the cost per month would amount to 40 lacs, or £400,000. If the expedition lasted six months there would therefore be £2,400,000 for transports alone, and if twelve months, £4,800,000. That was independent of coals. The Government had the same sources of information which he possessed—namely, information from Bombay, and they should have known this fact as he knew it. Neither in policy nor justice should the tax-payers of the country have been called on to bear such an amount of taxation — approaching to a sum of £10,000,000—for what? A phantom—the redemption of the national honour, and the maintenance of the prestige of England in India. He denied that the honour of England was compromised because Mr. Cameron, who had no business in Abyssinia at all, had been taken prisoner by the King. The whole affair might have been managed by native agency for £30,000 or £40,000, or even much less. As for prestige—he had some knowledge of India, having seen a good deal of it, and of its different nations, and he might say there was not one in a million there that ever heard of Abyssinia. So far as the military operations were concerned, nothing could be more satisfactory or effective. The manner in which General Napier had depôts provided along his line of march till he got to Magdala did him infinite credit. But how had all this money been spent, the expenditure having terminated before the time anticipated by the Government? In July, 1868, a gentleman, who had resided for six months at Zoulla, came to him and said he had seen transports from Suez loaded with hay collected in Syria, and others from Bombay. What became of it? These transports lay in Annesley Bay, and some never delivered their cargoes at all. Then the quantity of coal supplied at an increased price was very large indeed. He had asked the late Government for a Return of the number of ships which brought hay to Annesley Bay; of the price paid for the hay; of the quantity left in Abyssinia, and of the quantity never unshipped. The Under Secretary for India had informed him that the order for the Return was sent to Bombay on the 20th of August last, but the required statement had not yet been received. The order had been repeated, and when produced he had no doubt it would, to a great extent, explain the increase of the estimate, without at all, in his opinion, affecting the character of the Bombay Government, and certainly not of Lord Napier. Another cause of waste had been the purchase of mules in Syria, where they cost £40, and in Spain, where they cost £80 per head; while in Abyssinia they might have been had for £4 or £5. What became of those mules? Many thousands of them had been left on the coast of Abyssinia when we came away. With regard to all beyond the mere military expense of the Expedition, he thought it was quite necessary that an inquiry should be instituted, and the country would thank the Government and the late Minister for India for having consented to it so readily.

Captain F. E. B. BEAUMONT said, that the case was that a number of their fellow-countrymen were unfortunately detained at a long distance from this country, and in order to rescue them the country had spent £10,000,000, though a much smaller sum would have sufficed for the purpose. Under these circumstances it behoved the House to inquire into the causes of that unnecessary expenditure.

Mr. OTWAY observed, that unquestionably there had been a great excess of expenditure over the estimate, and that circumstance formed a proper subject for inquiry. Therefore it did not seem desirable to enter now into a discussion of every matter which had been referred to that evening; and if the right hon. Gentleman opposite (Sir Stafford Northcote) had concluded his remarks with the expression of his desire that the House should suspend its judgment until the Committee made its Report, the debate might then have ended. However, after stating that there were three departments connected with the expenditure of the Expedition—the Home Government, the Government of Bombay, and the department of the Expe dition under Lord Napier—the right hon. Gentleman went on to declare his satisfaction with the economical proceedings of each, and to express his conviction that the result of the inquiry would prove entirely creditable to the late Government. Now, prophecies with regard to Abyssinia had not been very fortunate on the part of the right hon. Gentleman; but he trusted that the proposed inquiry might verify to some extent his hopes. The statements made in the House that evening showed that a strong impression existed in the country that there had been a lavish and unnecessary expenditure in connection with the Abyssinian Expedition. That was a necessary subject for inquiry, and the Motion of the hon. Member for Sunderland (Mr. Candlish) had the entire concurrence of the Government.

MR. F. WALPOLE said, he would have been glad if the hon. Gentleman who made the Motion (Mr. Candlish) had also proposed to inquire into the causes of the Abyssinian War. Charges had been made of great hurry and great expenditure in connection with that Expedition; but his knowledge of war led him to believe that on the occasion in question hurry meant economy. He would be very glad to see the result of that inquiry, and he was sure that when the result was known Gentlemen on the other (the Ministerial) side of the House would regret the acerbity with which they had pressed that Motion.

SIR JAMES ELPHINSTONE said, he was sorry to notice the tone in which his hon. Friend the Member for Chatham (Mr. Otway) had granted the Committee. He was glad that it was to be granted; but he did not think from the tenour of the observations of the hon. Gentleman that the Government would approach the inquiry in any spirit of fairness. He wished, however, that the whole Abyssinian question should be referred to that Committee. Let them go to the heart of the business and see how the Abyssinian War began. He thought Mr. Cameron, who had suffered greatly, had been foully attacked in the course of the discussion, and in justice to him they ought to investigate the whole of the matters that had led to the Abyssinian War. In reference to the observation of the hon. and gallant Member for Aberdeen (Colonel Sykes), who said that Abyssinia was full of mules, he must observe that though there were mules enough there for a shooting party or a small number of persons, yet he believed that for the supply of a single regiment with the necessary mules the resources of Abyssinia would be absorbed in a single day. With regard to expenditure, he had always noticed that as soon as shipowners and manufacturers had grown rich on warlike expeditions they immediately began to grumble when the bill came to be paid. The Abyssinian Expedition had shown that the arm of this country could reach any part of the globe, and by adding to the prestige of the nation, would tend in future to save British tax-payers from expenditure for similar expeditions. He moved that the whole Abyssinian question be referred to a Select Committee.

MR. AYRTON suggested that, as there was much important business before the House, the discussion might now be allowed to close. It was not the desire of the Government to say one word to prejudge the inquiry. The duty they had to undertake with regard to this Expedition was very simple, though very onerous — it had only been to pay the demands made on them during the last three months for the expenses incurred under the arrangements made by the late Government; and the few questions they had had to consider had been simply with reference to the allocation of the charges between the British Exchequer and the Government of India. The Government had not imbibed any feeling of prejudice in the question; they only desired that the Committee should approach the subject with an impartial mind, and a full determination to do justice to the motives and conduct of the late Government. He hoped the House would not be drawn into an interminable debate on the origin and progress of the Abyssinian War.

MR. ALDERMAN LUSK said, that though the House had been told a great deal about enormous charges for freight, the charges made were not extraordinary at all. They amounted, as a rule, for sailing ships, to about £1 per register ton per month, and that at a time when there were but few ships in the market. If the required number of ships had not been obtained in consequence of not giving a fair price for them, and any disaster had occurred as at the Crimea, the Government would then have been accused of bungling and mismanagement.

Sir JAMES ELPHINSTONE said, he would not press the Amendment of which he had spoken.

Mr. CANDLISH, in reply, disclaimed the imputations of the hon. Member for Portsmouth (Sir James Elphinstone), and said he was not aware that there had been any asperity in the debate or any attack on Consul Cameron. He thanked the Government for their acquiescence in the Motion.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the causes of the great excess of cost in prosecuting the War with Abyssinia over the estimate submitted to Parliament."—(*Mr. Candlish.*)

And, on June 21, Committee *nominated* as follows:—Mr. Baxter, Sir Stafford Northcote, Mr. Grant Duff, Sir John Hay, Mr. Seely, Mr. Eastwick, Major Anson, Mr. Christopher Denison, Mr. White, Mr. Howes, Sir Patrick O'Brien, Lord Elcho, Captain Beaumont, Mr. Charles Turner, Mr. Mundella, Sir James Elphinstone, Mr. Holms, Colonel Barttelot, and Mr. Candlish:—Power to send for persons, papers, and records; Five to be the quorum.

ENDOWED SCHOOLS AND HOSPITALS (SCOTLAND).

MOTION FOR A ROYAL COMMISSION.

Sir EDWARD COLEBROOKE rose to move an Address for the issue of a Royal Commission to inquire into the endowment and administration of Endowed Schools and Hospitals in Scotland. The question was one which had been much neglected in recent inquiries into the state of education, but it was too vitally connected with that great question, upon which Parliament would shortly be called to legislate, to be altogether passed over. The problem of dealing with educational endowments in England was one which had been the subject of inquiry after inquiry. It was one of a most large and difficult character; for while, on the one hand, they were bound to respect the wishes—almost the caprices—of the founders, they had also to regard the interests of the public, and to take measures for the effective administration of these institutions. In England the question was ripe for legislation. In Scotland it was far otherwise. The public knew little or nothing of the property or administration of these institutions—there was a comfortable sort of feeling that they did a great deal of good. Even as to their funds very little was known, except that their value was probably much undervalued. In the neighbourhood of Edinburgh in particular, there were large endowments, partly for the purposes of education and partly for purposes analogous to the charitable institutions of this country. At the head of these was one which gave tone to the rest. He meant Heriot's Hospital. The revenues of these institutions were very large, and it was most desirable to ascertain that they were justly administered and applied in the most beneficial manner. What he desired was to know something definite as to the existing resources of Scotland in this respect. The case of Scotland was peculiar: educational means were swept away at the Reformation. The difficulty had existed ever since, but more in the towns than in the country districts. The Education Commissioners had pointed out in their Report upon burgh and the middle class schools that the working classes found more difficulty in obtaining good education for their children at a reasonable rate in towns than they did in the rural districts. The difficulty arose not because the working classes in towns were less anxious for education than elsewhere, but because the means of obtaining it were less available in towns than in the rural districts. The information which Parliament now possessed in regard to these institutions was derived chiefly from scattered notices in the Reports of the Scotch Commissioners on Education. The existing educational endowments necessarily came under the inquiries of the Commissioners, but unfortunately not as a primary and special duty. They were—

> "In particular, to report your opinion as to whether the funds voted by Parliament are applied to Scotland in the way most beneficial for the interests of the people, and to make any suggestion in regard to the application thereof, or in regard to the state of the said schools and the management and emolument thereof, which may appear to you calculated to improve the education of the people in Scotland."

Although thus only incidentally mentioned, the question was not to be ignored, and there were important passages in the assistant Commissioners' Reports which bore on the subject, but it was almost entirely ignored in the General Report of the Commissioners.

It was, in fact, only forced upon them in connection with the financial question. In the Report of the Assistant Commissioners there is the following passage:—

> "There is yet another source from which aid might be obtained, to which we have referred both in our general and special Reports—namely, hospital funds and endowments. Could any portion of these be made available for the encouragement of the higher or secondary education, the question of funds would be very much simplified, and the demands either on local rates or the public purse would be greatly reduced. But the whole subject which this opens up is one on which our information is as yet so incomplete and inexact, that it is impossible to form even an estimate of the aid that might be expected from such endowments. There is no doubt, however, that the hospital revenues and mortifications throughout Scotland are of enormous value. Some of them, as at present administered, are of little use, and the number of persons that they benefit, when compared with their pecuniary value, is ridiculously small;"

And they cite the case of Stirling, where there were hospital funds to the amount of £5,400 a year. The third Report of the Commissioners makes this recommendation, that—

> "Without prejudice to the present powers of the trustees of hospitals, it shall be the duty of the General Board to examine the statutes and rules of their foundations and, subject when necessary to the approval of Parliament, to make alterations therein, with a view to the extension of education."

Inquiry was thus shadowed forth by a high authority, and whether it was to be conducted by an independent Commission or not was of little consequence. There were many allusions in the assistant Commissioners' Reports in proof of the importance of the inquiry; but they all showed that the Commissioners themselves laboured under the impression that the question did not come under the special reference. Mr. Lawrie, one of the Assistant Commissioners, summed up his Report with some striking general remarks. He said—

> "They are not based on perfunctory observation, or the result of hasty inference. Since I received your instructions, the question of the hospital system has never been out of my thoughts. I have been led to conclusions even much larger and more antagonistic to the present constitution of things than I have felt myself here at liberty to record. These conclusions, too, have been reached in spite of the fact that the funds are so well administered and the hospitals as a whole are so faithfully and anxiously conducted as to defy animadversion from the most hostile. I have confined myself, however, to such recommendations as tend in the right direction, and do not involve changes which might stir opposition by exciting alarm."

And when Mr. Lawrie was consulted on a kindred point—namely, the existing means of maintenance for schools in burghs—he said—

> "It will one day probably be a question to what extent the large funds mortified for hospital purposes may be turned to the general use, without detriment to the interests of the persons whom the founders specially intended to benefit."

In the case of many of these institutions, especially with regard to bursaries, there was a difficulty owing to their being in the hands of private patrons; and it was no disparagement to say that they were slow to move, and required the influence of public opinion to encourage change. The boys were not stimulated as the day scholars were in burgh schools, by extended competition and the study of subjects which were of their own selection, but were isolated by a kind of monastic life. With very little effort a scholar of the hospital was sure of a bursary. He hoped Her Majesty's Government would take the question into their serious consideration, and that some action would be taken in the matter.

MR. M'LAREN said, he had great pleasure in seconding the Motion. He most heartily concurred in the proposal, and believed that if a Royal Commission were appointed great good would result. The hon. Baronet had made allusion to the great institutions in the neighbourhood of Edinburgh—particularly in reference to Heriot's Hospital. Some of the points in connection with that institution were not fully understood. Connected with Heriot's Hospital there were out-door schools, which were supported from the surplus funds of that hospital, under an Act of Parliament obtained thirty-one years ago. There were altogether nine schools, attended by about 3,300 children, and their education was entirely free. It might be supposed that this led to a system of waste, but the fact was that the children got an excellent education at the rate of £1 7*s.* 6*d.* a year; and the governors of the local institution had refused to accept Government aid for the erection of the schools, or for the payment of any part of the expenses. Then there was 186 boys within the walls of the hospital receiving not only their education, but their food and their clothing, and when they left the institution, apprentice fees for five years in order to maintain them until they were able to support themselves. Besides these advantages, all the boys who were fit for a University education received £30 a year as bursars. Heriot's Hospital was founded on the model of the Blue Coat Hospital in London; and he would venture to say that if they would inquire into the expenses of the two institutions, they would find that one master in the Blue Coat School would get more money than all the masters in Heriot's Hospital, and that the average expense of educating the boys would be more than double. He stated these things not to find fault with the Motion, but to prevent the impression that there was a latent fund existing which might be made to a large extent available for other purposes. No doubt if the Bill of the Lord Advocate were passed some good would be effected. The Acts of 1853 and 1856, which enabled the Charity Commissioners to reform those institutions that applied for changes, did not extend to Scotland, and up to this time there never had been an inquiry into these institutions. Another point he desired to mention with reference to Heriot's Hospital free schools is as to whether an entirely free education was a good thing or not. It had been said that the poorer classes of Scotland did not value anything unless they paid for it—that they despised education which was entirely free, and that the children consequently did not attend so well those free schools as schools for which they would have to pay. He had taken some trouble to test that allegation. It had been made for twenty years, and no statement was ever made more totally destitute of foundation. The facts were directly the opposite. The attendance at the Heriot schools, day by day, where no fees are charged, is about 85 per cent of those on the roll. Over the schools in Edinburgh, where weekly fees of 2*d.* and 3*d.* are charged, the average percentage of attendance is less. The explanation was this—If a boy was absent, the teachers made inquiry, and if he was absent three times without any good reason, he was dismissed from the school; and the privilege of getting an excellent education free of expense was so highly valued, that they dare not stay away.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to issue a Royal Commission to inquire into the nature and amount of all Endowments in Scotland, the funds of which are devoted to the maintenance or education of young persons; also to inquire into the administration and management of any Hospitals or Schools supported by such Endowments, and into the system and course of study respectively pursued therein, and to report whether any and what changes in the administration and use of such Endowments are expedient, by which their usefulness and efficiency may be increased."—(*Sir Edward Colebrooke.*)

THE LORD ADVOCATE said, he was far from denying the general importance of the subject which was dealt with by the Motion of his hon. Friend. There could be no doubt that the endowed institutions of Scotland were very large and very extensive, and that the rules under which many of them are administered were not in accordance with the present state of society. He entirely agreed that these foundations were not beneficial to the public to the extent intended by the founders—and, indeed, he believed that in some cases their effects were decidedly mischievous. The hon. Baronet had thrown some blame upon the Commissioners for Education in Scotland, and seemed to think that they had not properly inquired into this part of the subject committed to them. He (the Lord Advocate) did not think they were at all liable to that censure. Their main duty was to inquire into elementary education in Scotland. That was the matter for which they were appointed, and was a matter into which they did most carefully inquire; but they thought it was their duty not to relinquish the inquiry altogether until they had made some investigation into the middle-class education of Scotland. That was not the main subject upon which they were appointed, but they thought that their Report would be imperfect unless to some extent they dealt on that matter. Accordingly assistant Commissioners were appointed to inquire into the state of the burgh schools, and into the general state of middle-class education, and they had furnished a very elaborate and useful Report. But it appeared to the Commissioners—and it struck him (the Lord Advocate) very strongly indeed—that until you had settled the question of elementary education—until you had decided on what foundation the education of the country was to be built—it was premature to proceed to deal with the question of middle-class education. It was for that reason, and not because the Commis sioners were not conscious of the importance of the question, that the Royal Commissioners did not go at length into the question of middle-class education, or into the question of these educational endowments. On the other hand, he was strongly impressed with the importance of having all information upon the matter, and for that purpose the Government had proposed to introduce into the Bill now pending in the other House a clause enabling the Education Board, appointed under that Bill, to make inquiries into and to deal with these endowments. But the trustees of some of the most important of these institutions made a representation that a measure might be introduced by which they might be enabled to reform themselves. This seemed a very reasonable and creditable proposal; and, accordingly, the Government have introduced a Bill, which is now before the House, and has been read a second time, and would probably come on for discussion in Committee on Thursday. His hon. Friend (Sir Edward Colebrooke) now interposes the proposal for a Royal Commission. He (the Lord Advocate) thought this was premature. What he proposed was that the debate should be adjourned to Thursday, when the Endowed Schools Bill would come on, when they could discuss the provisions of the Bill he had himself introduced as well as the general question. It might be that the Education Board would be found capable of conducting the inquiry satisfactorily.

SIR EDWARD COLEBROOKE said, he would assent to this proposal.

Debate *adjourned* till *Thursday.*

CONVENTION OF PARIS.

MOTION FOR PAPERS.

MR. SHERIDAN, in moving the Motion of which he had given notice, said, that at the close of the last war with France arrangements were made that English subjects, resident in France, whose property had been confiscated during the war, should have compensation given to them out of funds vested for that purpose in the hands of certain Commissioners. The position of the British Government in the matter had been defined as that of a trustee, and the object of his Motion was to exhibit the manner in which the fund had been distributed, with reference especially to some matters deserving the attention of the House.

Motion made, and Question proposed,

"That there be laid before this House, Statements of 'Rentes' deposited with the British Government by the French Government, in pursuance of the Treaties of 1814 and 1815, and under the Convention of the 20th day of November 1815 [No. 7] and the 25th day of April 1818, in satisfaction of the claims of British subjects, and the dates at which such 'Rentes' were deposited:

Of the sums paid out of such moneys to the persons whose claims were admitted:

Copy of a Minute of the Board of Treasury, dated the 17th day of February 1826, ordering payment of £23,707 10*s.* out of such moneys to Monsieur Laffon de Ladebat:

And, Statement in detail of the manner in which the difference between the aggregate sum (principal and interest) received on account of the claims of British subjects, under the above-named Conventions, and the payment in satisfaction of such claims has been disposed of, and of any balance still remaining unappropriated."—(*Mr. Henry B. Sheridan.*)

VISCOUNT MILTON, in seconding the Motion, said, that he and those who bore the same name with himself had been acquainted with these claims for many years, and that honesty as well as policy required that they should be examined by a fair and impartial tribunal. This was the fifth time the question had been brought before the House; and he complained of the manner in which it had been dealt with by successive Governments, who had met it, not by one, but by six different answers. The Government justly took credit for doing an act of justice to Ireland, and he trusted that they would not refuse it in the present case, because it was an individual who was concerned.

MR. AYRTON could assure the House that if this were really a Motion for Papers in order to give information to the House he should be only too happy to comply with it; but the Motion was the first step towards establishing certain claims upon the public Exchequer, and it was his duty to oppose that first step. It was, in fact, an attempt to revive a question which had been settled by the proceedings of that House many years ago. It was, further, a claim upon a fund that had now no existence. At the Peace of Paris certain funds were placed at the disposal of a Mixed Commission which sat in France. After a few years that Commission was put an end to, and the funds were placed at the disposal of the British Government by a

Commission to be appointed by the Crown for the satisfaction of certain claims then unliquidated. An Act of Parliament was, at the same time, passed under which the funds were appropriated in discharge of the claims, until, in 1848, a Minute of the Treasury was laid upon the table which described the point at which the proceedings had then arrived. To that Minute he might refer as a standpoint in this transaction. From that document it appeared that the balance, after providing for actual appropriations, was about £21,000, and that there remained a sum of £16,000 to be disposed of by the Commission in making a *pro ratá* payment of the claims which were admitted. In accordance with that Minute, Dr. Phillimore, the Commissioner, proceeded to make an apportionment, the particulars of which were given in his final Report, dated May, 1852. Every sixpence of the indemnity fund, he might remind the House,had long ago been appropriated to specific claimants, and every claimant had been paid, except a few, whose demands amounted to £277 14*s.* 8*d.*, which sum still remained in the Treasury. With this exception the fund had been disposed of, and, consequently, it did not matter who had a claim against it. The House would see, therefore, how useless it would be for the Government to consent to the production of Papers for the purpose of establishing claims against the fund. But misapprehension on this subject pervaded the minds of some gentlemen who would not read the Papers which had been laid upon the table, and who persisted in imagining that there were enormous sums locked up in the Treasury out of which their claims might be paid. It was assumed that the sum in the hands of the Treasury had never been appropriated to the satisfaction of the claims, and that it had been accumulating with interest down to the present time. One gentleman, indeed, rose up in the French Chambers and inquired of the French Government, whether it was true that Her Majesty's Government had 64,000,000 of francs which were appropriated for the payment of claims, but which had not been applied to that purpose; and, if so, whether Her Majesty's Government ought not to be called upon to give the money back to the Emperor of the French. Again, while the fund was in the Exchequer it was used for public purposes, being re-funded as soon as it was required, and ultimately distributed among the claimants. Nevertheless the claimants spread abroad the idea that their money had been spent in building Buckingham Palace. He need hardly add that that was a mere fiction. Whatever decision might have been arrived at, whether rightly or wrongly, as to any particular claim, was now of no practical importance, because the cases could not be re-opened. He hoped the House would not agree to the Motion, and that nothing more would be heard of these claims.

Mr. SHERIDAN said, the hon. Gentleman's reply had not satisfactorily disposed of the question. If, as had been stated, there was an impression in France, as well as in this country, that there was a sum not yet disposed of, he did not think the explanation of the hon. Gentleman would be calculated to remove that impression. If the Return were presented, and if the House decided that there was a substantial case for investigation, the allegation that there were no funds might perhaps then be the best answer that could be given to the Motion.

Question put.

The House *divided*:—Ayes 80; Noes 109: Majority 29.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.—[Bill 23.]

(*Mr. Thomas Chambers, Mr. Morley.*)

COMMITTEE.

Order for Committee read.

Mr. COLLINS moved an Instruction to the Committee that they have powe to make provision for a woman to marr her deceased husband's brother. H altogether disclaimed the notion that h brought forward this Instruction eithe from what had been called in a paper signed by the hon. Member for Maryle bone, a manœuvre, or with a view t make the issue of this Bill more com plex. He wished the House to have distinct not a complex issue. The Bi had this great blot, that it laid down different law with reference to the mar riage of a man from that laid down wit reference to the marriage of a woma It would permit a man to marry h deceased wife's sister, but would n permit a woman to marry her deceased husband's brother. It might be said women did not wish to marry their deceased husband's brother; but such cases did occur. In 1860, at the Shrewsbury Assizes, Sir George Lewis, as Home Secretary, had ordered to be prosecuted a woman of the name of James for having married the brother of her deceased husband; she was tried and suffered the penalty of imprisonment. Therefore it was idle to say those cases did not occur. The same justice ought to be dealt out to the woman as to the man, and what he asked was that the Committee should have power to consider both cases. In Scotland the United Presbyterian Synod had objected to baptize the child of a woman who had married the brother of her deceasd husband, because it had come in an improper mode. Since he had given notice of his Instruction he had received many letters from women who had married two brothers. He would not trouble the House by reading them, but what he meant to insist on was this—that if it was right to remove the obstacle to a man's marrying two sisters, they should also remove the obstacle to a woman's marrying two brothers. If they altered the law let them make the alteration logical, and let them not set up one law for the woman and another for the man. He held in his hand a letter from a woman who had married two brothers, and who stated that she deemed the supporters of the Bill for legalizing marriage with a deceased wife's sister very selfish, adding that she had married two brothers, and felt particularly interested in the latter case. To say that the law was to be altered to enable a man to marry a blood relation of his deceased wife, and not allow a woman to marry her deceased husband's blood relation would be unworthy of the House. Lord Russell was opposed to these marriages. When a Member of this House, in 1859, he had said if they made the alteration proposed by this Bill, they could not stop there; for he could not see why the woman should not have the same privilege as the man. He was not in favour of an alteration of the Law of Marriage, but he protested against the Bill as being of an illogical character, and he thought it was too late, at one o'clock in the morning, to discuss the great principle involved.

Motion made, and Question proposed,

"That it be an Instruction to the Committee that they have power to make provision for a woman to marry her deceased husband's brother." —(*Mr. Collins.*)

MR. SCLATER-BOOTH agreed in thinking the hour too late for the discussion of this important question, and moved the adjournment of the debate.

MR. T. CHAMBERS said, he hoped the hon. Member would not persist in the Motion for the adjournment of the debate. A Bill of this kind had passed the Commons four times, after deliberate discussion; whereas the principle of the Amendment had never been discussed at all. The Bill was brought forward to meet a great practical grievance. It might not be thoroughly logical and consistent; but neither were many other Acts of the Legislature. He hoped the Bill would be passed.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Sclater-Booth.*)

The House *divided*:—Ayes 63; Noes 113: Majority 50.

Question again proposed.

COLONEL NORTH moved the adjournment of the House.

MR. BRUCE urged the advisability of not pressing forward the Bill at that late hour.

Motion made, and Question put, "That this House do now adjourn." — (*Mr. Cross.*)

The House *divided*:—Ayes 63; Noes 98: Majority 35.

Question again proposed.

MR. R. FOWLER moved the adjournment of the debate.

MR. KNATCHBULL-HUGESSEN appealed to his hon. and learned Friend who had charge of the Bill to yield to the power of the minority. They had done enough to assert their opinion.

MR. EYKYN suggested that they should get a Morning Sitting to discuss the Bill.

MR. T. CHAMBERS ultimately agreed to the Motion.

Motion *agreed to.*

Debate *adjourned* till *To-morrow.*

PUBLIC OFFICES CONCENTRATION BILL.

On Motion of Mr. LAYARD, Bill to authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire, by compulsory purchase or otherwise, certain lands, houses, and premises in the parish of Saint Margaret, Westminster; and for other purposes, *ordered* to be brought in by Mr. LAYARD and Mr. CHANCELLOR of the EXCHEQUER.

Bill *presented*, and read the first time. [Bill 153.]

WAYS AND MEANS.

Resolutions *reported*, and *agreed to:* — Bill *ordered* to be brought in by Mr. DODSON, Mr. CHANCELLOR of the EXCHEQUER, and Mr. AYRTON.

Bill *presented*, and read the first time. [Bill 152.]

House adjourned at a quarter before Two o'clock.

HOUSE OF COMMONS,

Wednesday, 9*th June*, 1869.

MINUTES.]—NEW WRIT ISSUED—*For* Nottingham Town, *v.* Sir Robert Juckes Clifton, baronet, deceased.

PUBLIC BILLS — *Ordered—First Reading*—Sea Fisheries Act (1868) Extension* [156].

Second Reading—Sea Fisheries (Ireland) [51]; Companies Clauses Act (1863) Amendment* [138].

Committee—Sunday Trading [5]—R.P.

Committee—Report—Endowed Schools (No. 2) (*re-comm.*)* [154].

Report — Local Government Supplemental* [90-155].

Third Reading — Municipal Franchise* [85]; Poor Relief (Ireland) Act (1862) Amendment* [117], and *passed.*

Withdrawn—Sale of Liquors on Sunday (Ireland) [29].

SALE OF LIQUORS ON SUNDAY (IRELAND) BILL—[BILL 29.]

(*Mr. O'Reilly, Mr. Pim, Mr. Peel Dawson.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. O'Reilly.*)

MR. MURPHY *presented* a Petition against the Bill, and then proceeded to move—

> "That, until the present system of licensing in Ireland be remodelled and placed on a new basis, it is, in the opinion of this House, inexpedient to proceed further with the considsration of this Bill, and, therefore, that the order for going into Committee be discharged."

The hon. Member said this was the third occasion on which that Bill or a Bill of that nature, had been before the House. In 1867, the hon. and gallant Member for Longford (Mr. O'Reilly) had introduced it for the avowed purpose of restricting the sale of liquors by retail in Ireland on Sundays, the purport of the Bill being to diminish and discountenance the admitted vice of intemperance which unfortunately existed both in this country and in Ireland to a large extent. In that object he (Mr. Murphy) entirely concurred. No one would be more willing than himself to co-operate with any philanthropic persons who were anxious, by legislative enactment, to abate the evils of intemperance; but, in his opinion, the measure now under consideration, so far from being calculated to effect the object proposed, would have the effect of increasing the gravity of the evil. He did not make that assertion on his own authority, for he should quote irrefragable evidence of those best qualified to form an opinion on the subject, showing that until the evil was radically grappled with and the whole system of licensing had been taken up by the Government, any such partial measure as the present Bill would be of no avail in abating drunkenness but would tend to agravate it. He did not, of course, object to the number of hours when liquor might be sold on Sundays being curtailed; but the Bill now before the House related only to those places which were licensed by the magistrates. In 1833 an Act was passed which limited the hours of trade in spirits on Sunday in Ireland from two to eleven, p.m., for consumption on the premises; but no restriction was put on the sale of non-consumption on the premises. By the 6 & 7 of *Will.* IV. grocers were empowered to sell for non-consumption, and a subsequent Act reduced the hours of sale in public houses on Sunday night to nine p.m. By the 27 & 28 *Vict.* the Excise beer-house and licensing system was introduced; and such being the state of things in 1867 the hon. Member for Longford brought in his Bill, restricting the sale in public-houses from two until nine p.m., to from two to four o'clock in the afternoon, and from eight to nine o'clock in the evening; but not dealing in any way with the beer-houses and spirit-grocers' shops, where liquor was sold under Excise licenses. By a clause in that Bill, any person who kept an eating-house might sell liquor at any hour of the day while the house was open. After being read a second time that Bill was, on his (Mr. Murphy's) Motion, referred to a Select Committee. Owing to the lateness of the Session, and other causes, that Committee never met, and the Bill was dropped for the year. In 1868, it was again introduced and referred to a Select Committee, where it underwent so much alteration that it became, what it was at present, merely a Bill to close public-houses on Sundays, except between two and nine p.m. in towns, and between two and seven p.m. in the rural districts. But, before that Committee it had been shown by Mr. John Lewis O'Farrell, the Chief Commissioner of Police in Dublin, and by other equally competent witnesses that excessive drinking did not take place in the regularly licensed public-houses, which were always open to the supervision of the police, but in the beer-houses and spirit-grocers' shops, where sales of liquor took place in evasion or in direct violation of the terms of their licenses. Mr. O'Farrell expressed his belief that the curtailment of the hours of sale with the more respectable houses would only lead, under the present system, to an aggravation of the evil by transferring the drinking from the more respectable houses to those which were less respectable, and contended that the subject should be left to the Government, by whom a general measure—including in its provisions all the branches of our licensing system—should be brought in. The statistics showed that while 33 per cent of the public-houses in Dublin had been complained of for selling liquors at hours when the houses should have been closed, 200 per cent, of the complaints had been lodged against the beer-sellers. It also appeared that the number of complaints against public-houses had been fewer since a limitation in the hours of sale had been removed, and that there had been a diminution in the number of arrests and committals for drunkenness Taking the case of Richmond prison, Dublin, he found that the number of committals for drunkenness in 1852 was 3,480 females, and 1,619 males, and that, in 1867, the number decreased to 1,239 females, and 525 males, making a reduction of nearly two-thirds; the total showing 5,099 committals in 1852, as compared with 1,764 committals in 1867. In dealing with the figures it was necessary to observe that the number of arrests did not represent the number of persons, because one person might be arrested many times. The whole result was extraordinary, as showing in the main that drunkenness was not increasing. The licensed victuallers themselves had no objection to the public-houses being closed at nine o'clock; but they thought the restriction of hours should be uniform throughout the country, and that the small beer-houses and spirit-grocers should be also dealt with. For these reasons he had put his Amendment on the Paper. He believed that the question could only be dealt with satisfactorily by the Government, who possessed all the necessary materials for settling the question in a manner satisfactory for the revenue and at the same time beneficial to the public. He thought the House should not agree to mere *dilettanti* legislation, which would increase rather than diminish the evil. He trusted the House would hear from the Chief Secretary for Ireland some expression of opinion as to the course the Government would adopt, and he believed it to be their bounden duty to deal with the question for Ireland, as the Secretary of State for the Home Department had promised to take it up for England next year.

MR. SHERLOCK, in seconding the Amendment, said that, in order to settle this question, a large and comprehensive measure ought to be introduced. He believed he was right in saying that every official who had been consulted or examined in reference to this measure, or to a measure substantially the same, agreed in saying that, until the licensing system was put upon some basis intelligible and fair, until the various Acts of Parliament, contradictory and complicated, which now regulated the licensing system in Ireland were repealed, and one comprehensive measure passed, no partial legislation could be satisfactory, and, therefore, he regarded this Bill as premature. It was rather a remarkable fact, but it appeared from the Returns that since the public-houses were permitted to remain open until eleven o'clock at night the actual amount of drunkenness brought under the cognizance of the courts had been much less than it was when they were closed at an earlier hour. Probably the explanation was that conviviality went on more smoothly when longer time was allowed for it, and that when greater speed was enforced less judgment was used. At any rate, the extension of the time to eleven o'clock had not brought under the notice of the magistrates an increase of drunkenness. The Chief Commissioner of Police declared that this measure was premature, and the principle of limited legislation ought to be discouraged. This Bill commenced at the wrong end, and the proper course would be to put everything in reference to the sale of liquors on a common and intelligible basis. It was unfair to those engaged in the trade that they should be subjected to legislation so complicated as that by which they were now regulated. It was only fair to them that there should be an intelligible code by which their rights and liabilities should be defined. For these reasons he seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "until the present system of licensing in Ireland be remodelled and placed on a new basis, it is, in the opinion of this House, inexpedient to proceed further with the consideration of this Bill,"—(*Mr. Murphy,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. CHICHESTER FORTESCUE said, he had not intended to take part in the debate so soon but for the appeal made to him by the hon. Member for Cork (Mr. Murphy), and the fact that the hon. Member for Longford (Mr. O'Reilly) had not risen. On the last occasion when this measure was before the House it was his duty to make an appeal to the former Gentleman, which he took in good part, withdrawing, in compliance with it, all opposition to the second reading of the Bill, and the hon. Member for Longford was thereby able to obtain from the House an assertion of the general desirability of restricting the hours during which places for the sale of liquors should be open on the Sabbath. He hoped he should now be equally successful in a somewhat similar appeal to the hon. Member for Longford. The Secretary of State for the Home Department, in meeting the Permissive Bill and also the Beerhouses Bill, had distinctly committed the Government to the opinion that the whole licensing system of England required careful examination and revision, and had given an undertaking that that should be effected. It would be his own duty to undertake something of the same kind with respect to Ireland. His own feeling was known to be favourable to the principle of this Bill, and the suggestions he now offered were conceived, therefore, in no hostile spirit, nor with any wish to give the go-by to the proposal of the hon. Member for Cork. Since he sat on the Committee it had been his duty to look closely into the subject, and he had seen the state of confusion into which the whole licensing system of Ireland had been allowed to fall, and the absolute necessity, both on this ground and in relation to impending legislation, that the matter should be taken up the Government. He assured hon. Members that before next Session the matter would be taken into serious consideration, and every part of it examined, including that which related to the hours of closing on Sunday. He hoped, on the part of the Government, to introduce next Session a measure which should put an end to the anomalies and evils of the licensing system in Ireland, a measure which he trusted would go far to accomplish the object aimed at by this Bill.

MR. MAGUIRE said, he was glad to hear that the question was to be taken up by the Government on its own responsibility. He believed that only a measure proposed by the Government would give general satisfaction.

MR. O'REILLY said, the hon. Member for King's County (Mr. Sherlock) was under a misapprehension in supposing that the officials—stipendiary magistrates and others—who had been consulted believed that legislation in the direction of this Bill would be premature and unsuccessful; for, with the single exception of Commissioner O'Farrell, whose evidence applied solely to the metropolis, they had expressed contrary opinions. He cheerfully and proudly acknowledged the fact that there had been a great decrease of drunkenness of late years in Ireland, and especially in Dublin; and he appealed to that as evidence that it was practicable and desirable to limit the hours for the consumption of intoxicating drinks, and as a proof that this Bill was in consonance with the good feeling of the people. He maintained that it was a proper and logical thing to deal with the hours of sale without going into the whole licensing question. In regard to one point, he wished to call attention to an answer of Mr. Commissioner O'Farrell, who said that it was years since the question had been submitted to the Government, and who also expressed the opinion that the passing of a Bill like this, even if it proved inefficient, would have the result of hastening an amendment of the licensing laws. He hoped that even the bringing forward of this Bill would expedite that result, more especially as in the Committee which had sat on the Bill the Chief Secretary for Ireland voted in favour of licensed houses being closed at the hours named in this measure. He inferred, from the statement by the Chief Secretary, that the Bill to be introduced would seek to attain the object of this Bill by restricting the hours of sale on the Sunday; and if he were not to draw that inference he should be inclined to press this Bill.

Amendment and Motion, by leave, *withdrawn.*

Bill *withdrawn.*

SEA FISHERIES (IRELAND) BILL.

(*Mr. Blake, Viscount Burke, Colonel Annesley.*)

[BILL 51]. SECOND READING.

Order for Second Reading read.

MR. BLAKE, in moving the second reading of the Bill, said: * It will not be necessary for me to trespass at any length on the House, as I have now had the subject constantly before Parliament for the last six years. On each occasion, the Chief Secretary for Ireland—whatever Administration happened to be in power—always admitted the great importance of the subject, and faithfully promised that, if I would only postpone it, that the matter would be taken into consideration during the Recess, with a view to legislation the next Session. Unfortunately, however, for Ireland, that next Session has never come, and I am compelled to try whether I can succeed better with the Reformed Parliament than with the preceding one. The Bill may be divided into three heads. The first provides for the removal of the control of the fisheries from the Board of Works to the Lord Lieutenant. The second, for the removal of all restrictions on modes of fishing. The third, for the advance of loans on satisfactory security, for the erection of curing-houses and the repair and purchase of boats and gear. With respect to the first provision, I believe until the fisheries are placed under a distinct department, devoting all their time to their promotion, that they never will get on. The duties the Board of Works have to perform are of a character entirely foreign to such an object as the fisheries. When that Board originally got charge of them they adopted the idea, and acted on it ever since, that the fisheries should be left to shift for themselves. They certainly were not invested with much power to benefit the industry; but they never appear to have sought for any, or to have made any recommendations calculated to do much good. Indeed, on the contrary, as a Board they were opposed to some measures which would have proved most beneficial. The head of the Board was an officer of Artillery or Engineers—a very excellent gentleman, and, no doubt, well acquainted with everything that related to engineering. His colleague, Mr. Le Fanu, is also an able man, and well acquainted with everything that naturally came within the province of the Board of Works. Mr. Barry, the inspecting Commissioner of Fisheries, was an officer of great capacity and fifty years' experience. Could he act from himself there is no doubt that great advantages would result to the fisheries, but he was liable to, and had, indeed, often been over-ruled by the other members of the Board who had not his practical knowledge. The first condition to the prosperity of the fisheries is that it should be removed altogether from under the Board. The salmon fisheries have gone down under it, so have the sea fisheries; and unless my suggestion be adopted they will still further decline. The cost of a combined department would be little beyond the expense of the present inland fishery department. Two inspectors of inland fisheries were lately appointed. One of them, Mr. Brady, had a complete knowledge of both branches. He had filled three important offices with great credit. He was formerly inspector of Irish sea fisheries, subsequently became secretary to both the English and Irish Inland Fishery Commissions. He is now associated with me on the Royal Commission on Irish Oyster Fisheries. I believe there is not under the Crown a more zealous, able, and patriotic officer; his heart is in the promotion of the fisheries, and he would work at that object quite as much for the sake of his country, to say the least, as from any official obligation. He had a most excellent associate in Major Hayes, who, from his intelligence and resolve to do his duty would, when he acquired a little more experience, prove a most valuable public officer. These gentlemen would make admirable Commissioners for a combined department, of which Mr. Barry, so long as it would suit his convenience to remain, would, from his ability, experience, and zeal make a most admirable head. The removal of restrictions, with power to re-impose any that might be found necessary, on due inquiry hereafter, is most essential. Millions of fish are lost to the public owing to the prevention of trawling in bays and estuaries. The most reliable evidence showed that even if fish deposited spawn in such places at all, they did so in rough ground where the trawl could not work. That subject, however, is so extensive a one, that I shall not now go any further into it. I have written a great deal on it, and at the proper time am ready to discuss it fully with anyone who disputes what I have laid down; I shall, therefore, pass to the third and most important proposal of all, the pivot on which almost everything depends—loans to fishermen. In order to prove their desirability, it will be well to show that there might be a much larger capture of fish if proper means are adopted, and that there is good reason to suppose that loans would effect this object without much risk of loss to the State. To prove all this it will be necessary for me to give a brief sketch of the past and present condition of the Irish fisheries—Ireland has for its area about the most extensive sea coast of any country in the world (2,600 miles), owing to the numerous bays, creeks, and other indentations. In former times its coasts were considered to abound with more fish than any other country in Europe. For that reason chiefly the Danes were attracted to Ireland. English and Scotch fishermen for a long time preferred fishing off the Irish coasts to their own. England derived large revenues from allowing foreign fishermen to fish in the seas around Ireland. Besides the sums received for licenses from individual fishermen, the Dutch paid Charles I. £30,000 for the privilege of fishing off the western coast. Philip II. of Spain in 1556, agreed to pay £1,000 a-year for twenty-one years for the right of fishing on the northern coast only. In 1650, Sweden, in return for important services rendered to England, was allowed, as a great favour, to employ a hundred vessels in the Irish fishery. So long as they were permitted, the Irish fishermen followed their avocation with great industry and success, and, after supplying the wants of the country, exported large quantities. Against no branch of Irish industry have more measures of repression been employed than against the fisheries, in order to prevent them interfering with those of England and Scotland. In compliance with the Petitions from Yarmouth and other English fishing stations during the Commonwealth, the fishermen and gillers of the herring were nearly exterminated by the transplanting law; and down almost to the present the same feeling of jealousy has been exhibited against the Irish fisheries, and means quite as effectual as those employed by Oliver Cromwell used to prevent them from progressing. For example, in 1803, the Marine Society formed a company with £50,000 capital to fish the South coast of Ireland. An Act of Parliament to incorporate the company became necessary. Petitions against it poured in from various fishing communities in England representing the injury likely to result to the English fisheries. Parliament yielded, and the Bill was thrown out. In 1838, Lord Morpeth, then Chief Secretary for Ireland, introduced a Bill to give effect to the recommendations of a Royal Commission appointed to inquire into and report on the Irish fisheries. On the day before it was committed a deputation from Scotland, headed by the Duke of Sutherland, waited on the Government to induce them to abandon the Bill for the sake of Scotch interests, which was accordingly done. Since 1800, Scotland has received nearly £1,500,000 more than Ireland for the promotion of her prosperous fisheries, besides having devoted for same object all the funds of the British Society for extending the Fisheries and Improving the Sea Coasts of the Kingdom. Even now, giving credit for every 1*s*. expended for purposes connected with the Irish fisheries, Scotland receives £7,000 per annum more than Ireland for the benefit of her fisheries. In 1830, the same Act which abolished the Irish Board and all encouragement to the fisheries, continued the Scotch one with its numerous and efficient staff of officers, maintained the branding system which gives the Scotch herring fishery an enormous advantage over the Irish one, and provided a fund for the gratuitous repair of poor fishermen's boats. Thus, in twelve years, from 1829 to 1842, according to a House of Commons' Return, Scotland received for her fisheries from the Treasury nearly £200,000, whilst Ireland, during the same period, and for some time after, may be said to have received nothing, a sum only of £13,000 having been expended during that time for the repair of some fishing harbours. When opportunity has been afforded them, and when able to procure fishing appliances, the Irish fishermen have always shown themselves most industrious, as proved by the great development of the fisheries when fostered by the Irish Parliament, and the wonderful increase in men and boats between 1820 and 1829, when the State again encouraged the fisheries, an annual average expenditure during that period of £16,000 having led to an average increase in the number of vessels of 13,000 and 44,000 men and boys. Owing to the impetus previously given to the fisheries by State encouragement, the number of vessels and boats amounted the first year of the famine to 19,883, and the crews to 113,073, nearly twenty years after all Government assistance had been withdrawn. The fishermen suffered more than any other class by the famine, owing to the consumption of fish having largely diminished. Thousands were therefore obliged to part with boats and gear, and abandon the pursuit. The decline is still going rapidly on year by year, the number of vessels and boats now being 9,326, and the crews 37,244; showing a decline in the former of 10,557, and in the latter of 76,228 since 1848. The fishing craft are therefore less than half what they were twenty years ago, and the crews reduced to one-third. If not arrested the decrease will proceed probably at the same fearful rate; according to the last Report of the Fishery Commissioners, there were 2,000 men and boys less engaged in the fisheries, in 1867, than in the preceding year. Competent judges declared even when the fishing crews amounted to 113,000 that at least twice that number could have derived profitable employment from the fisheries; according even to this moderate calculation there is an opening now for nearly four times as many persons as are now engaged in the fisheries. There is no reason to suppose that there is not quite as much fish around the Irish coast as at any former period. Holland, with not more than a third the seaboard of Ireland, formerly supported 450,000, or one-fifth of the whole population —2,400,000—by fishing, which realized £3,000,000 annually. The Irish fisheries ought to be made to yield at least double this sum, but the entire yield does not exceed £350,000; so insufficient to provide for even the wants of the inhabitants that £100,000 worth of fish has to be imported from Norway, Newfoundland, and Scotland. There is no reason to suppose that the quantity of fish has decreased; and although the home demand may be less than before the famine, still the requirements in England have largely increased with increased facilities for reaching its markets. The consumption in London—independent of 800,000,000 of oysters — amounted to £5,000,000 sterling worth per annum, the whole capture of Ireland not being sufficient to supply even one month's requirement. Since the famine the State had not aided the struggling fishermen by 1*s*., although, up to a few years ago, in addition to other advantages, Scotland had £500 a year for the repair of poor fishermen's boats. The Society for bettering the condition of the Poor, out of a fund at their disposal, had lent nearly £25,000 in twelve years to assist fishermen to buy boats and gear, and never lost 1*s*. The Society of Friends, in the county Waterford, had lent a few hundred pounds to the fishermen of Ring, and saved them from being almost annihilated, and were paid back the advances. The community is now a prosperous one. The Marine Salts Company were sometimes under £3,000 advances to the fishermen, and were always paid. A Mr. Savage, in the county Mayo, had made advances to the fishermen about him without any loss. Miss Burdett Coutts had, by judicious advances to the Cape Clear islanders, enabled hundreds of them to continue their calling. These instances served to show what might be done around the coast by advances on proper security. I would advocate neither bounty nor gifts—the latter, as a rule, are most undesirable; I would not give them 1*s*. unless on good security, and compel the re-payment. Thus none but deserving men would get loans; they would be stimulated to exertion in order to re-pay them, and their securities would be sure to look after them. A few days ago I headed a large deputation to the Chancellor of the Exchequer, to request that a loan of £10,000 might be given, in order to try the experiment for three years, and that if, at the end of the three years, it was found not to succeed, no more be given. Nothing could be stronger than the resolve of the Chancellor of the Exchequer not to give the aid asked for, although it was shown to him that Scotland received £7,000 more than Ireland as an annual gift. No argument or probable benefit to Ireland could move him. There was not a member of the deputation but was fully impressed that if any good was to be done for Ireland, it should be done in spite of the Chancellor of the Exchequer. His arguments against acceding to the moderate request made to him, were not only unworthy of a statesman, but unworthy of any student acquainted with the principles of political economy. His allegation was that, according to the latter science, the State should not, under any circumstances, assist private enterprize. Where he had learned that I am at a loss to know. It was probably a doctrine of the Chancellor's own, and a more false dogma never was laid down. Most unquestionably State assistance should not be given to prop up any industry which could not get on unless such aid was continued; but if, owing to some casualty, such as the Irish famine, an industry like the fisheries became paralyzed, in consequence of those who prosecuted it being deprived of or unable to procure the appliances to carry it on, most assuredly the State was bound to assist, if it was satisfactorily shown that a moderate help would produce satisfactory results. I have shown the wonderful results which have followed from loans already to the Irish fisheries, and according to the testimony of the most impartial witnesses. There was in this House, last year, two of the highest authorities in the Empire on political economy. When I represented to them the case of the Irish fisheries, and asked them whether, under the circumstances, it would not be consistent with its doctrines to give the aid I asked for, both said—most unquestionably—and added that Ireland was well entitled to every assistance England could give to help her to recover from her misfortunes. That good friend to Ireland, Stuart Mill—who, I am sorry for her sake, is no longer in the House—when this same question was before the House, last year, in reply to the present Secretary of the Board of Trade, who appears to hold the same erroneous views as the Chancellor of the Exchequer, said—

> "The main objection of his hon. Friend who had just sat down to the granting of loans to the Irish fishermen was, that if this were done for Ireland it should be done for Scotland and England. His answer was that Ireland was a more backward country than either Scotland or England. Government might very properly undertake to do things for a country which was industrially backward, which no one could expect from them in the case of a country which was in a more advanced and prosperous condition. This consideration was of all the more weight when it was remembered that the industrial backwardness of Ireland was, in a great measure, attributable to the past legislation of this country. For a long period English legislators, without distinction of party, employed themselves in crushing this and most other branches of Irish enterprize. It was therefore incumbent on us, now that we were wiser and able to look upon our past conduct with shame, to legislslate in an opposite direction, and even to risk, if necessary, the loss of small sums of money to advance that industry which we had formerly endeavoured to retard."—[3 *Hansard*, cxcii. 2021-2.]

I expected that the Chancellor of the Exchequer would be here to-day to sustain his arguments. Instead of sending—as no doubt he has done—directions to have my proposal rejected, it is his business to be here to state his reasons. I came here with the best home and foreign authorities to refute him. I would have been assisted by that eminent political economist the Member for Brighton (Mr. Fawcett); and between us, I undertake to say that we would leave the Chancellor not a leg to stand on, as here we would be on equal terms with him, and would not allow him to adopt that dictatorial course which he is so fond of, by asserting when it does not suit his purpose to argue. I strongly appeal to the Chief Secretary for Ireland on this important Irish question, if he agrees with me—and I cannot see it possible for him not to do so—not to suffer himself to be overborne by the Chancellor of the Exchequer. It would be unworthy of his position and his reputation if he does not boldly do what he considers right in this matter. He knows as well as I do, that the putting down of attempts at insurrection in Ireland, for the last half-a-dozen years, has cost the English Exchequer one hundred times as much as I ask for on the present occasion. He also knows that the main cause of revolution in Ireland is want of employment, and the belief entertained by the people that there is no hope of ameliorative measures from the British Parliament. They believe that any amount would be given for grapeshot, bayonets, and sabres to coerce, but not 1*s*. to assist the country to revive. Such dogmas as the Chancellor's may do well enough for a country like England, but to preach them to a people still suffering from the effects of "a desolation wider than any recorded in history or shadowed forth by tradition," is but another way of telling them to despair. As Ireland does not possess the same advantages as England and Scotland in minerals, capital, commerce, and manufactures, it is the more incumbent on those whose duty it is to promote the well-being of the nation they undertake to govern, to render as available as possible for her people whatever resources Ireland possesses; and, considering how this particular industry had been discouraged, even up to a very recent period, the claim was stronger to help it now. In conclusion, I again earnestly appeal to the Government, and more especially to the Chief Secretary for Ireland, to pause before refusing the trifling boon sought to assist in preventing the further decay of the fisheries. Every day that they are allowed to go down only increases the difficulties of resuscitation. So important does the Emperor of the French regard even the loss of one fisherman, that as much as £50 is often given to enable a man who has lost his boat to resume his pursuit; but, sad to say, between 1866 and 1867 the fishing crews in Ireland decreased by 2,000, without the slightest effort to prevent it. If for no other reason than as a nursery for the Royal and mercantile marine, Parliament ought not to let the Irish fisheries expire. There never, perhaps, was an occasion when a Government had an opportunity of doing so much good at so little cost. If, however, the unwise counsels of the Chancellor of the Exchequer are to prevail, a large class in Ireland would have just grounds for concluding that their welfare have been a matter of indifference to the Government under which they lived. If not aided it is inevitable that the fisheries will sink still lower. It will, indeed, become a deep disgrace to England that whilst the Governments of France, Holland, Norway, and other maritime nations have done all they could to render their fisheries available for their people, that whilst those of Scotland have been aided in every way necessary to render them successful, that those of Ireland were suffered to fall into utter ruin; because those whose duty it was to use every legitimate means to avert such a calamity would not afford the least aid to place the implements of his industry again in the hands of the willing labourer, and thus enable him to benefit himself and others, by availing of the abundance placed by Providence within such easy reach.

MR. MAGUIRE seconded the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Blake.*)

VISCOUNT ST. LAWRENCE said: Mr. Speaker, I venture to presume that there is no more important duty incumbent on this House than to provide cheap and wholesome food for the people over whose destiny and fortunes it presides. Therefore has it been that in every age civilized countries have fostered and encouraged their fisheries. And, in advocating the present measure, I do not desire to see any particular locality or community favoured, especially such as, through their position or circumstances, cannot defend it as being for the public advantage; and by "public advantage" in this case I mean casting into the markets of the country the produce of the sea. Sir, I refrained from accompanying a considerable number of Irish Members who waited upon the right hon. Gentleman the Chancellor of the Exchequer yesterday, because I conceived that there were in this Bill before the House certain sections or provisions that might be termed unconstitutional, and which were in opposition to the objects which I desire to see carried out; but it has been the source of extreme regret to me to find that so distinct and decided an answer was returned by the right hon. Gentleman on the question of loans to Ireland. Although I am quite inexperienced in what I may describe as the mysteries of legislation, it astonished me the more when I remembered the close connection that existed between the Treasury and the loan system in Ireland in former days, through the means of the Consolidated Fund. That system, I conceive to be an absolute necessity for the Irish fisheries, inasmuch as the little revival which has taken place within the last few years has been only in those localities where, through private enterprize, and what is more through private charity, the fishermen of the country were supported; and I sincerely trust that the right hon. Gentleman may re-consider this question, and without any trepidation venture to cast his bread liberally on the Irish waters. I cannot quite concur, however, in the principle laid down by the hon. Gentleman the Member for Waterford in this Bill, that the chief object is to preserve the coast fisheries by encouraging the formation of companies and the erection of curing houses owned and conducted by practical people. I conceive that it is only by exportation to England, a matter which I regret to observe is altogether omitted from the Bill, that we can hope to see our fisheries prove a source of wealth and prosperity to the country. In the Bill before the House there are many important characteristics, more especially that which refers to the oyster fisheries; and if only half of what the hon. Member anticipates is realized, I feel assured that the public, both the English and the Irish people, will be greatly benefited by what is proposed in the Bill. Trawling is, I believe, the principal medium of supplying the market, and I trust that, in taking into consideration the Report of the Royal Commission for England and the Report of the Select Committee over which the hon. Member presided, we need not anticipate any danger through the destruction of spawn. But I greatly fear that, in respect of its other characteristics, the hon. Gentleman has not considered the times we live in, and the present social condition of Ireland. He seems to have based his Bill principally on what occurred in 1846. Then our population was redundant; wages were at a very low rate; food was somewhat scarce; and there was no large importation into the country of corn as there is in these days; therefore the fish of the country were looked upon as a great and an important means of support; and it was a constitutional object with the Legislature, when the people were in want of food and had only the potato to rely upon, to tender them all the support that lay in its power. But, in the year 1869, the times are considerably changed. Since 1846 our population has decreased some 2,500,000—wages have consequently increased. In many places there is actually a want of hands to perform the tillage of the land; and if this House is not aware of it now, it will soon be made aware of it, that the heart of the Irish peasant is set on the occupation of land and its tillage. Those very farmer-fishermen who live around the curing-houses, in certain localities which the hon. Gentleman has mentioned, have their hearts fixed upon the peaceful avocations of their homes, and are becoming more and more alienated from the pursuit of perilous adventures on the deep. I have the evidence of Mr. Goode, who appeared before the Committee and stated that there is but a single market in Ireland, and that that is at Dublin. I might also cite the important Report of the thirty-eight coastguards of Ireland. In their Report it will be found that the only localities, with scarcely an exception, which are prosperous are those connected with the English trade. I might refer to the traffic of one railroad as a sample of all the rest—I allude to the Midland and Great Western, which completely traverses Ireland. It is connected with Western Connaught, with Galway, Sligo, Castlebar, and Westport, and I find that there are 2,250 boats and upwards of 6,000 men employed in the fisheries of Connaught; yet, to my extreme surprise, the export of fish across the whole breadth of Ireland by this railroad was only 209 tons last year, which would scarcely represent the quantity of fish captured by two or three trawls. I cannot see, therefore, how there can be any demand for fish in the interior of Ireland. Indeed, upon making an application to the secretary of that railway, I learnt that there is not an instance of five cwt. of fish being delivered at any inland town throughout the whole course of the line. There are other facts which go to show that Ireland is not England. For example, the Report of the Royal Commission states that, although the people of Ireland were in an absolutely starving condition during the famine, yet rather than eat the fish that was put before them, they positively died of starvation. I do not believe, therefore, it is very likely that the people, who, when actually starving, were unable to eat fish, would be very voracious for it when they are not hungry. I have now to refer especially to the evidence of the hon. Gentleman himself with regard to the markets of Ireland. He was the Chairman of the Select Committee of this House, and it was in his power to call and examine any witness he might think proper; but it so happened that not a single salesman or fishmonger was called. There was one witness, however, a Mr. Savage, who was summoned before the Committee, and the Chairman asked him if he had ever heard of a turbot having been sold for 6*d.* To which Mr. Savage, with a characteristic desire to show his zeal, replied that he had not only heard of a turbot being sold for 6*d.* but of a fine turbot being sold for 2*d.* The hon. Member for Kerry, whom I do not now see in his place, asked what the witness considered a "fine turbot," and was answered—"A turbot of 20lbs. weight." According to this admission therefore a turbot is sold in certain parts of Ireland for 2*d.*! I could go further than that; but I would take the difference in the appetite of the English and the Irish peasantry, for after all, perhaps the best test we can have is that of the knife and fork. It requires a person of a very strong appetite to live upon fish, and the English labourer would sink exhausted if compelled to depend upon a fare that satisfies an Irishman. Another point I refer to with "bated breath." I believe there are numerous instances of English voters yielding to the seduction of turkey and sausage. They have even been accused of yielding to the seductions of a shoulder of mutton, in Norfolk, but recently. Except, however, in the single case of the borough of Youghal, it is a comfort to know that in Ireland we have only a few political Esaus amongst us. I say, then, that the great object of the Irish fishermen must be to sell their fish in England; and this can only be accomplished by the formation of depôts throughout the country; so that it is to the formation of such depôts that I would earnestly desire legislation to be directed. On this side of the Irish Channel there are depôts such as that in the North, at Wick; in the East, at Yarmouth, and in the West, on the Cornish coast, which are the head-quarters of fishing, and from which enormous quantities of fish are constantly being transported. And here is the great difference between the hon. Member for Waterford and myself. I wish to see the depôts concentrated on the Irish shores. There are already two depôts in Ireland to which I would draw attention; and the first of them I am well acquainted with, I allude to the fishery depôt at Howth. In 1863, there were only twenty-eight fishing vessels there, but on its becoming marked as a fishery depôt, the trade assembled there in large numbers, vessels, boats, &c., and the result, after a few years, was, that there was sold—according to the Report of the Royal Commission — upwards of £94,000 worth of fish in that harbour alone; and when I come to look at the figures of the hon. Member himself I find that the whole value of the fisheries of Ireland was £350,000. Consequently the value of the fish sold in one particular year at Howth is more than one fourth of the whole of the Irish fisheries for one year. The other example to which I would call attention is that of Kinsale. I received a letter yesterday morning with regard to the great success which ensued upon the establishment of a depôt there; and I hold that we ought to endeavour, as far as lies in our power, to form depôts on the coast of Ireland. I wish the House most distinctly to understand that, so far as the Eastern coast of Ireland is concerned, we need no assistance from the House at present. We have there many superior advantages to the South and West coast, and it is to these two that the liberality of the Legislature ought to be directed. I entered this House with one paramount desire, and that was to see beneficial measures carried for Ireland. Having that object in view, I shall unswervingly do my duty, without the fear of being taunted with entertaining maudlin feelings of mistaken patriotism. I turn now to another topic, which I own I approach with great pain. It is a curious fact that, when Irishmen are left to the somewhat enervating influences of their own home, the social laws that govern them, and the numerous drawbacks to progress by which they are surrounded, we are not so high a class in the scale of intellect as we are when placed in other circumstances. It is under the influence of the spirit of enterprize, under the force of practical example, and under the chastening of discipline that the Irish character is seen in its best aspect. With regard to the spirit of enterprize, we have only to refer to our colonies, and to what the hon. Member for Cork (Mr. Maguire) has so lucidly and clearly described of the prosperity which exists amongst our countrymen in America, to show what is its influence upon them. And then, if we look to the effects of practical example, we shall see, in the case of our fishermen, that it is by the force of English example that they have learnt their skill in the herring fishery and trawling. Whilst under the chastening influence of discipline, we see what our army, militia, and especially our police has become. These all exhibit the great advantage of discipline when exercised upon the Irish character. But what is the discipline of the Irish fisherman? Quoting the words of the hon. Member—

> "There is no capital invested in the Irish fisheries, save the means of those who work them."

English companies thrive and prosper, and why should they not do so in Ireland? Because it will be found the difficulty in managing even under a company's administration, forms an almost insuperable obstacle, and I would desire to see every obstacle removed to the investment of capital in the fisheries. The Scotchman works for wages, and the Englishman, who is almost born a perfect disciplinarian, works for wages also. I have seen English, Scotch, and Irish fishermen lying side by side in the harbour near which I live; I have closely observed their habits, and I have come to the conclusion that it is one of our most incumbent duties to endeavour to improve the discipline of our sailors. Their little errors cannot be called crimes, and I do not attribute them by any means to the entire class of the community from which they spring. I feel convinced that there is no more virtuous peasant in the world than the Irish fisherman; but I regret to say that our fishermen, when fishing is good, are too much given to drink, are in the habit of leaving their boats, are lax in their duties, and that so many troubles arise from this cause that more discipline is absolutely necessary for them. [Mr. BLAKE expressed dissent.] I will read the passage from the Report, if the hon. Gentleman doubts what I say. I have at hand an abundance of evidence to convince him; but I will only quote an extract from a letter of Mr. Stevens, a boat owner of Waterford, to Mr. Shaw Lefevre, M.P.—

> "Shortly after the Royal Commissioners came here we were obliged to discontinue working the (trawl) steamer owing to the opposition we met from the native fishermen who were jealous of her takes. . . They made an attack on her one morning before day and cut her net away. . . I also brought men from Hull but they could not be induced to live in the country. . . I have them (my boats) manned with native fishermen who, I am sorry to say, are not industrious. Mr. Malcolmson and I, who are engaged in this trawling speculation, would largely increase the number of boats if we could get proper fishermen to work them. Unless English fishermen could be got to come to our coast, it will be difficult to get on with the natives."

These are the fishermen who are in the immediate neighbourhood of the locality the hon. Gentleman represents. I do not desire to oppose him on this question on the main, nor to trouble the House unnecessarily; but I feel that in the measure now under consideration there is a great deal that will require to be examined carefully. With reference to the fishery establishments, I fully coincide with him in the opinion that it is an absolute necessity that the existing establishments should be severed from the Board of Works. The Board are greatly overworked at present, and I think that the most judicious arrangement that could be made would be to combine the labours of the two establishments into one. Let me remind the House, however, that in former years a very large expenditure was entailed by the fishery establishments; that, in the course of eight or nine years, the expense incurred in the administration of the fisheries alone came to some £68,000;

that, in the year 1829 the fishery establishments cost £10,074, the incidence to £3,434, and that the expenditure of the establishments in incidental details was £6,636. But in the Bill now before the House, I regret to say it does not appear with sufficient clearness what number of clerks and other officers are to be employed; and if the establishment is severed from the Board of Works, I trust it will be clearly defined what the establishment is to be. There is one branch of the public service which I think we should look to for rendering considerable assistance to the fisheries—I mean the utilization, with that object in view, of the coastguard. They are a very numerous force both in England and Ireland. As well as I remember, they cost some £700,000 a year; at least that is the amount of the Estimates for Ireland last year; and I find that simply to locate these coastguards involved a charge of £19,000; that is to say, that was the amount of the Estimate for the same year; and when we consider that the coastguard officers are pre-eminently calculated to discharge the duties of inspectors, as we gather especially from their own evidence before the Committee, which was excellent, I think that they might be largely subsidized with advantage to the State, both officers and men, and employed economically in assisting the fisheries. I trust, then, that the Legislature will take this matter into its consideration. I fear I have troubled the House at too great a length, and I am sorry that the hon. Member for Waterford did not go a little more into details than he has done. It is a subject of regret to me to have been obliged to say what I have respecting Irish sailors, but I did it for the best; and I conclude by supporting the Bill on its present stage; at the same time expressing a hope that it will come out of Committee a more perfect and useful specimen of legislation than it is in its present shape.

Mr. MAGUIRE said, he was glad to find the noble Lord (Viscount St. Lawrence) intended to support the Bill, which no doubt could be amended with advantage in Committee; though from the nature of the noble Lord's speech, he (Mr. Maguire) was for some time in doubt as to his intention. He regarded the advance of loans by the State as an important part of that measure, but did not think that was, by any means, its most important part. To his mind, the formation of a special Board, exclusively devoted to the one subject, was a matter of paramount importance that transcended all others. The Board of Works in Ireland was thoroughly unfit to manage a department like that connected with Irish fisheries, which ought to be independent. Having sat on the Select Committee, over which his hon. Friend the Member for Waterford (Mr. Blake) presided, he must say that the members of the Irish Board of Works, who were examined before the Committee, impressed him with a sublime idea of their utter incapacity for dealing with that special subject. With rare exceptions, they seemed to know little, and care less, about the fishing industry of Ireland. The experiment was worth trying whether the Irish fisheries could be resuscitated; but, under the Board of Works, the experiment would have no chance of success for two reasons—the one, that the Board of Works had other duties to occupy its time—the other, that it had no knowledge whatever of the subject in question. It should be conducted under the auspices of men who, as his hon. Friend suggested, had their hearts thoroughly in the work. His hon. Friend did not ask for State assistance for the whole of Ireland; he demanded it for a class of men who, by the presence of poverty, arising from no fault of their own, were deprived of the means of prosecuting their occupation and maintaining themselves. And, as to the charge of drunkenness brought by the last speaker against the fishermen of Ireland, and particularly against the fishermen of Kinsale, no doubt some of them were amenable to that charge, like their brethren in England and Scotland; but their habits were now improving under the influence of the moral influences brought to bear upon them. A more gallant and hard-working body of men did not exist than the fishermen of Kerry, Cork, and Waterford, with whom he was well acquainted. In spite of the miserable nature of their boats, they braved the terrors of a tempestuous sea in the prosecution of their dangerous vocation; and when they could no longer fish with any success they then turned their labour to an often ungenial soil, and raised scanty crops for the sustenance of their families. He denied that they were drunken or improvident.

Viscount ST. LAWRENCE explained that he had only referred to an exceptional number of the Irish fishermen.

Mr. MAGUIRE said, he had no intention of charging the noble Lord with uttering a calumny against his countrymen. At the time of the famine, the Irish fishermen—who were half fishermen and half peasants—were utterly crushed; and, although their condition was somewhat improved afterwards, the years 1861, 1862, and 1863 were almost as disastrous to them as the years of famine had been. English gentlemen can form no idea of the destructive influence of that terrible calamity upon the poor of Ireland, especially these scattered coast fishing populations. The Society of Friends and other benevolent associations had granted loans to enable the fishermen in certain districts to renew their boats and gear, and it was a remarkable fact that in no single instance did the societies lose in consequence of having made those loans. He and his hon. Friends did not sue *in formâ pauperis* for these poor fishermen; but he maintained that if a peculiar class of Her Majesty's subjects stood in need of special assistance it was the first duty of the State to assist them. Alms were not asked for, but loans were — loans on sufficient security against idleness or fraud. It was proposed that no money should be advanced unless full security were given for its re-payment; and he might remark that in many villages the priest, the parish doctor, and some of the small tradesmen would, probably, not be unwilling to become sureties. No injury could, therefore, result from the loans, while the wealth of the country would be greatly increased, and a class of hardy fishermen raised up who might render the greatest assistance to the country as members of the Naval Reserve. Even as an experiment the Government were bound to give assistance to these men; but, in order to do this, there ought to be a proper Board appointed to superintend the fisheries of Ireland. Under an independent organization, and with a fair and liberal assistance from the State, those fisheries would, he believed, be soon restored to a flourishing condition, a source of wealth to the country, and even of additional strength to the Empire.

Mr. MATTHEWS said, there could be no doubt that the hon. Members for Waterford (Mr. Blake) and Cork (Mr. Maguire) had rendered good service to their country in connection with this subject. He concurred with the latter Gentleman that there must be a special and efficient management if any local regulations, by-laws, or restrictions affecting the mode of carrying on the business of the fisheries were to be rendered really useful. Although he should give his support to the Bill, he must not be considered as approving all the provisions relating to local restrictions, because the opinions on this subject prevalent in the borough he represented (Dungarvan) were different from those entertained elsewhere. He was one of the deputation which waited the other day on the Chancellor of the Exchequer, when the right hon. Gentleman gave so ungracious a reply to the gentlemen who had explained the question to him with great ability and moderation. In common with all who were present on that occasion, he trusted the opinions of the Chancellor of the Exchequer were not shared by all the other Members of the Government. Certain broad facts had been now indisputably established. One of these was that the Irish fisheries could live by themselves. No witness had even suggested that the supply of fish had failed on the coast of Ireland. Then, with regard to the demand, what was the state of the market? He need only state that Ireland herself imported £100,000 worth of fish every year. The market was an increasing one, and he felt convinced that a fresh trade would grow up between Dublin and the outlying fishing stations, and that ultimately the London market would become available for the Irish fishermen. What was required to bring the fish to those markets? According to the evidence given before the Commissioners, nothing but boats, nets, and gear. The famine had stricken down this industry in Ireland. Not many years ago, Dungarvan was preeminent among Irish fishing stations for prosperity, and the great addition made by its fishermen to the wealth of the country. But their present condition was such as might excite the commiseration even of the Chancellor of the Exchequer. Their boats were unfit to go to sea, and they had no funds to repair them. Private speculators would not come forward to aid these men because fishing was a very hazardous occupation. Was there, then, anything contrary to the principles of political economy in a proposal that the Government should render assistance in a case of this kind? For his own part he could not treat this demand as any infraction whatever of any principle of political economy. The Chancellor of the Exchequer had told the deputation that it was not desirable for the Government to lend money to private individuals on compulsory security. That was no doubt true, as a general rule, but there was this overriding principle,—that the freedom from Government interference, and the abstinence of the Government from intermeddling with trade, should result in the public prosperity. When, however, an industry, hazardous in itself yet productive of great public benefit when it prospered, was found to be accidentally depressed, although it would be self-sustaining if it could only be furnished with implements and gear, in such a case the soundest political economy justified State assistance. Lord Morpeth, when Chief Secretary for Ireland, backed by the whole weight and authority of the Government of the day, had proposed loans in cases similar to this, and n the time of the famine loans were not few. Even in prosperous England the principle had been acted upon in reference to drainage—the money being advanced to the landlords on the security of the land; and for the erection of dwellings for the labouring classes, money had been lent to societies at as ow a rate of interest as 3¼ per cent, ecause the erection of these dwellings was regarded as a public good, while he risks which attended that kind of nvestment were considered sufficient to ustify the State in coming forward, and ncouraging by its assistance that par-cular branch of enterprize.

Mr. Serjeant DOWSE said, he was nxious for the success of this measure, lthough he could not pledge himself to ccept all the details. Having had some xperience of Irish fisheries, he thought he sooner they were placed under some ew management the better. He did ot wish to say anything derogatory to e Board of Public Works, which he elieved to be an efficient one for its roper duties, but it had enough to do ithout meddling with the fisheries. It had become in certain matters a synonym for the Government, and when people asked for anything they were referred to it. The salmon fisheries had already been removed from its control, and it was a most important feature of this Bill that it entirely removed the deep-sea fisheries, in like manner, from its control. Let him give an illustration of the working of the present system. The Irish Society had considerable estates in water as well as on land, and they claimed the right to prohibit anyone from putting down an oyster bed in Lough Foyle. They would not lay down a bed themselves, and on the other hand they would not let anyone else do so; and when some persons attempted it they were prevented by law proceedings. The facts were shortly these. A license under the statute was given to certain persons, constituents of his, to lay down oyster beds. The Irish Society applied for a prohibition. The Board of Works at first defended the license, and a suit was instituted in which the Irish Society were plaintiffs and the Board of Works defendants to try this right to grant licences. By some means or other the Board of Works has been silenced, and, practically, the license is withdrawn, the case never having been tried at all. A name was given to this state of things by an old writer who wrote 2,000 years ago—one Æsop by name. There was another reason why he admired the Bill, and that was that it asked for money. The first axiom of his political creed, as an Irish Member of Parliament, was that as much money as possible should be brought into Ireland. Ireland contributed to the Imperial Exchequer, and had a right to share in the advances of public money. He could not say that he entertained sanguine hopes on that subject, and if he had done so before, his hopes would have been dispelled by what he heard the other day at the interview in Downing Street. He must do the Chancellor of the Exchequer the justice to state that he did not give the deputation an ungracious reception; in fact, there was nothing ungracious in it, except that the right hon. Gentleman did not grant what the deputation wanted. After nearly all the members of the deputation had said what they had to say, the right hon. Gentleman courteously, and also, as far as was possible, perhaps gracefully, told them they would not be able to get what they wanted. He thought, however, that the right hon. Gentleman's arguments about political economy were not sound. If political economy were worth anything it would adapt itself to circumstances. All that he had ever learnt of it was taught him by John Stuart Mill, who in that House said that Ireland, being industrially backward, might fairly expect more assistance than a country which was in a different condition. For centuries Ireland was slowly bled to death by bad legislation, and it was for wise statesmanship now to lend her a helping hand. Having had three weeks of sympathy in Committee on the Irish Church Bill, she now wanted a little sympathy in hard cash. Ireland was part of the United Kingdom, and as such deserved more consideration in such matters as this. In 1830 the Fishery Commissioners recommended to the Chief Secretary for Ireland the continuance of the Fisheries Loan Fund, and, in 1835, a recommendation practically the same was made. The late Earl of Carlisle, then Viscount Morpeth, and Mr. Serjeant Wolff, acting in accordance with that view, introduced a Government measure, but the Scotch Members, whose freedom from selfishness and whose disregard of their own interests were proverbial, induced the Government to postpone the Bill—a Bill to empower the Commissioners to lend money for the Irish fisheries—which was, as the House was aware, a gentle way of putting an end to its existence. In 1849, a Select Committee of that House reported that the want of proper funds and effective machinery and plant constituted a sufficient impediment to defeat the wishes of those who were anxious for the improvement of Irish fisheries. In 1852, another Bill, having a similar object, was brought in by the hon. Member for Donegal (Mr. Conolly), and withdrawn under the same influence. In 1867, a Select Committee, including some of the most distinguished men in that House, was appointed, and after examining a great variety of witnesses, many of them men of European reputation, they reported that the depressed state of the fisheries was mainly owing to the want of proper tackle and implements, and recommended that advances by loan should be made to the fishermen on satisfactory security for the purchase of boats and gear, and the erection of curing-houses, and other fishing purposes. There was, therefore, a long bead-roll of authority in favour of making advances with that object, and if political economy, which he denied, were opposed to such a policy, then he would say—"Perish political economy." If, he might add, the grant for which his hon. Friend the Member for Waterford asked was opposed on the ground that the sum was too small, the difficulty might easily be got over by increasing the amount. He would simply observe, in conclusion, that there was no good ground for the charge which had been made against the fishermen of Ireland by the noble Lord the Member for Galway (Viscount St. Lawrence). He (Mr. Serjeant Dowse) was well acquainted with those who lived on the seaboards of Donegal, Derry, and Antrim, and a more hardy or industrious race of men did not live. He hoped the Government would not confine their action in dealing with the case of such men to mere sentiment. If they did, he, like Sir Peter Teazle, should be tempted to speak of such sentiment in language more energetic than polite. He earnestly entreated the Government to allow the Bill to go to a second reading, and to take up the question themselves.

Mr. M'LAREN was not going to say a word against this Bill, and therefore he would not come under the censure incurred by certain Scotch Members twenty or thirty years ago, for conduct alleged to have been pursued by them, according to one side of the story, though, if the House heard the other side, it was quite possible that a very different complexion might be given to it, and that it might be found these Scotchmen asked for no more than equality, as between Scotland and Ireland. He wished, however, to give the House some account of the sums now paid in grants out of the Exchequer for fishery purposes in Scotland and Ireland, in order that they might at least have some idea how the truth stood now. The hon. Member for Waterford (Mr. Blake) complained that Scotland, during the present century, had received £1,500,000 more than Ireland, on account of its fisheries. This was a piece of antiquarianism, which it was hardly worth while going back upon; for it referred to times when a bounty was given on every barrel of herrings exported, and, of course, if 500,000 barrels were cured in Scotland, and only 50,000 in Ireland, Scotland would receive a much larger amount of bounty. The bounty system, however, did not stop with herrings, for it extended also to linens. Large bounties were given on the export of linens from the United Kingdom; and it was probable a much larger amount of bounty would be paid on Irish linens than was paid on those of Scotland. Both countries being placed on a footing of perfect equality, the mere fact that one produced a larger quantity of a particular article than the other did could furnish no ground for an imputation of favouritism, inasmuch as it depended upon natural advantages which were little within our control. He was not going to complain that Ireland now got too much, or to object to its getting more, but the hon. Member for Waterford, when he mentioned the fact of Scotland getting £3,000 a year for fishery piers and harbours, forgot to tell them how much Ireland obtained. No doubt, the omission was accidental on his hon. Friend's part, but that omission he (Mr. M'Laren) would now endeavour to supply. From the Miscellaneous Estimates, he found that Ireland last year got, for piers and harbours, £16,310, and was this year to get £14,006, whilst Scotland, as the hon. Gentleman correctly stated, got £3,000 in each year; but of the sum voted for Irish piers, he found by the Irish Estimates of last year that the sum specially applied for fishery piers was £5,804. For all other purposes connected with the fisheries of Scotland, the amount voted was £10,223; but, as by law, every barrel of fish stamped and branded by Government officers paid a fee in aid of the expenditure, those fees for last year amounted to £3,496, so that the total sum received by Scotland for general fishery purposes was only £6,727. The grants given to Ireland for the same purposes amounted to £3,390, so that the state of the case was, that for miscellaneous purposes Scotland got £3,000 more than Ireland, whilst for piers and harbours Ireland obtained £11,000 more than Scotland. No part of the £6,700 was applied to the fishery purposes indicated in this Bill—namely, to help fishermen to buy boats and nets. It was all paid in salaries to officers, and his impression was that a great deal of it was wasted. In Edinburgh, there were certain officers resident who received £1,810 out of the £6,700. Their lights, fire, rates, and taxes came to other £400, and the law expenses to £100. He did not believe that expenditure did much good to the poor fishermen of Scotland or of Ireland. The incidental expenses in Scotland came to £400, and travelling expenses to £1,000. One captain of a cutter got £100, and another £200 a year. He did not know why this money, should be paid out of this sum of £6,700. He could not ascertain that any of this money went to the fishermen of Scotland, and he thought a great number of the officers employed might be dispensed with.

MR. AYRTON said, he was sorry to hear in the course of the discussion that the interview between the supporters of the Bill and his right hon. Friend the Chancellor of the Exchequer was not so satisfactory to them as they had expected. He was, however, sure that some misapprehension prevailed on their part as to the spirit in which his right hon. Friend had received their representations, and in that view he was confirmed by what had fallen from the hon. and learned Gentleman the Member for Londonderry (Mr. Serjeant Dowse), who stated that, although the Chancellor of the Exchequer was rather decided in refusing the application which was made to him, his reception of those who made it could be regarded in no other sense as discourteous. His right hon. Friend he felt confident, was desirous of discharging the responsible duties which devolved upon him in the most agreeable manner, and he hoped that the hon. Member for Waterford (Mr. Blake) would not imagine that he meant to treat the deputation, of which he was the spokesman, with the slightest disrespect. As to the question immediately before the House, he would observe that no one could be more strongly impressed than he was with the difficulties by which it was beset. It was a question which had been under the consideration of the Irish and the English Parliaments for the last 110 years, and which still remained in anything but a satisfactory position—a fact not very encouraging to any man who was anxious to promote legislation with respect to it in that House. The difficulties by which it was attended were inherent in the question itself. They resulted from the habits of those who were called fishermen in Ireland, as well as from the habits of the fish themselves. To that very recondite subject, the habits of the fish, very little attention seemed to have been paid; but there were not wanting naturalists who said that the fish on the coasts of Ireland took it into their heads to go somewhere else and were not to be caught. The point was one on which it was not easy to obtain conclusive information, and he was not at all surprised that such was the case; for, although his hon. Friend the Member for Waterford had been appointed in November last a Commissioner to inquire into the habits of that tranquil fish, the oyster, and had ample means of conducting the investigation placed at his disposal, and although he had addressed to his hon. Friend a letter requesting him to furnish some information on the subject to the Government, no such information had yet been furnished. [Mr. BLAKE: I never got the letter to which the hon. Gentleman refers.] He did not wish to complain of his hon. Friend in the slightest degree, and had referred to his appointment as Commissioner simply to show that when there was so much difficulty in ascertaining the habits of a single fish, it was not suprising, considering the variety of fishes in the ocean, that still greater difficulties should accompany a general inquiry of that nature. Much had been said about some remarks which had fallen from his right hon. Friend the Chancellor of the Exchequer with respect to the principles of political economy, but nobody would, he hoped, accuse him of entertaining any dogmatic ideas on that point. If he had entertained such ideas he would have been disabused of them. Since he had filled the Office which he had the honour to hold, he had never been able to discover that the public money was spent in strict accordance with the principles of political economy, or, indeed, in accordance with any other definite rule than the particular circumstances of each case as it presented itself for the consideration of the Government. That being so, he was not disposed to urge on the House any dogmatic views based on the principles of political economy in dealing with the question before it, nor did he think his right hon. Friend the Chancellor of the Exchequer desired to approach the subject in a different spirit. And now, what, he would ask, were the facts of the case as stated by his hon. Friend the Member for Waterford in support of his Bill? It appeared that, in 1830, at the end of that period which his hon. Friend regarded as the golden age of the Irish fisheries, the number of men engaged in fishing was 64,000, and the number of boats 12,000. In 1830, according to his hon. Friend, evil times for those fisheries began, and they commenced to decline. The very same class of figures, however, on which his hon. Friend relied in proof of that statement, informed the House that there were 113,000 men and 19,000 boats employed in the Irish fisheries in 1846; so that in a space of sixteen years, during which period they were left entirely to themselves, the number of men was nearly doubled, while the number of boats increased in an almost equal ratio. Those figures proved, if they proved anything, that the industry was one which could flourish without any support from the Government, and without that aid which it was the object of the Bill to obtain for it. He was not, however, disposed to dwell too much on those figures, because they were, no doubt, liable to error on both sides. It should not, at the same time, be forgotten that they, in all probability, embraced the case of every poor man residing on the coast who happened to put out to sea in a canoe on a Thursday to procure fish for the next day. But then it was said that there were only 40,000 men and 9,400 boats engaged in fishing in Ireland. What, he would ask, had been the cause of the change since 1846? Why, the famine, which had either swept away altogether those persons who obtained a miserable subsistence by catching fish now and then, or had completely altered their condition. Since that time the state of the peasantry and small farmers had, he believed, become greatly improved, and it was quite consistent with that improvement that mere casual fishing should have been done away with, and that the industry should have fallen entirely into the hands of real fishermen, devoted completely to their art, and practising it with enterprize and energy. If that were so, it was easy to understand how we might have a much larger export of fish from Ireland, accompanied by a diminution in the number of fishermen. His hon. Friend, in supporting his Bill, stated that he did not ask for bounties, and that he was opposed, on the other hand, to having the fishermen subjected to any restrictions. That being so, the question at issue was much narrowed. What his hon. Friend required was that a Board should be established for the purpose of ascertaining what works should be undertaken with the object of promoting the fisheries in Ireland. He must, however, remind the hon. Gentleman that there was a Board of Works in existence in Ireland, which was intrusted with the necessary authority for constructing those works which were necessary for the protection of fishermen in that country in the pursuit of their industry. But the hon. Gentleman was not satisfied with that, and desired to establish a new Board. What right had he to expect that that new Board would be more intelligent or efficient than the present? Would it not be composed of the same sort of persons selected by the same sort of people? His hon. Friend objected to the existing Board because it was, he said, responsible to an officer in the army. That officer was, however, he believed, a gentleman who was not more conversant with manual and platoon exercise than with the construction of works, while he was possessed of large knowledge and experience. According to his hon. Friend's proposal two of the present inspectors were to be members of the new Board, and the third member was to be a civil engineer of seven years' standing. Did he forget that the officer to whom he referred could not have discharged his duties without having been engaged to a great extent to works of civil engineering? In his opinion it would be a needless waste of public money to set up a new Board, such as that which the hon. Gentleman proposed. He hoped therefore he would not persevere with his Bill. If the House were to give its assent to such Bills, it was idle for them to talk about the necessity of checking the growth of the public expenditure. In making these observations he must not, however, be understood as in any way under-rating the expediency of making the supervision of the Irish fisheries perfectly efficient. As the law at present stood ample provision was made to enable the existing authorities to act with vigour and to oblige those whose duty it was do so, instead of sitting enjoying themselves in Dublin, and writing treatises on fish and fishermen, to go about the country to find out the real wants of those of whose cause his hon. Friend was the advocate. He thought that the administrative reform desired by his hon. Friend might be obtained through the Irish Executive, without legislation, but, if necessary, Parliament might resort to legislation for that purpose. He had proposed to substitute for a gentleman of extreme age two gentlemen, who would work efficiently for the object which his hon. Friend desired to promote; but he re-called the order, not thinking it proper to make any such appointment pending the consideration of this Bill. He was anxious, not for the creation of a new Board, but for the appointment of efficient officers. There were some other portions of the Bill which were open to objection. It proposed for example to interfere in the engagements between the owners and the crew, but that was a most dangerous power. It was holding out to the Irish people that Parliament was to regulate the smallest action of life, and he thought that no such interference should be attempted. As to the proposal that loans should be made to the fishermen, Parliament had deliberately decided that such loans should not be made, and, in his opinion, they ought not to revive the practice. He doubted whether it was really necessary that loans should be made for such trivial purposes as the providing of nets and cobles. Surely this might be safely left to private enterprize? Such legislation tended rather to demoralize the Irish people than to foster self-reliance and promote individual effort. The first thing, then, to be done was to get good official inspection, which meant authentic information, and after this Government would see what was necessary to be done. The Chancellor of the Exchequer had already told his hon. Friend that the Government were not prepared to advance money for the purposes contemplated by him, and he was not authorized to recede from that statement. He repeated that, in his opinion, arrangements might be made for the proper control of the Irish fisheries without passing any Bill on the subject, but it was for the House to say whether they thought that a Bill was desirable.

COLONEL WILSON-PATTEN said, he gathered from the statement of the hon. Gentleman (Mr. Ayrton) that the Government were ready to agree to the second reading of the Bill, not, however, binding themselves to any details of it. He agreed with the hon. Gentleman that the great point was to get more efficient inspection, and if the Bill only secured that object it would be well worth passing. The facts with which they had to deal were that the sea fisheries of Ireland, which might be made productive, were not so, and that efforts to improve them had hitherto failed. Now, he agreed with those who thought that it was not in the nature of a Department like that of the Board of Works in Ireland to be able to promote the interests of the fisheries. There must be a more efficient control than they could possibly exercise. That was the main object to be kept in view, and when such a control was provided and adequate information was obtained other advantages would naturally follow. Great credit was due to the hon. Member for Waterford (Mr. Blake) for his exertions on this subject, and though all the provisions of the Bill might not be acceptable to the House, the hon. Member would have done good service in eliciting from the Government a declaration in favour of a more efficient inspection. If the hon. Member pressed the second reading of the Bill he should support it, with a view to secure a Board constituted for the special object of attending to the Irish fisheries.

MR. CHICHESTER FORTESCUE said, that in justice to the Irish Government it should be remembered that, up to this moment, the deep-sea, coast, and oyster fisheries had not been under the control of the Lord Lieutenant or the Chief Secretary, but under that of the Board of Works. The Bill of his hon. Friend (Mr. Blake), which proposed to deal with this question, might be divided into two parts of unequal importance—one relating to loans, and the other, which was by far the most important part, relating to administrative reforms. His hon. Friend the Secretary to the Treasury (Mr. Ayrton) had dealt with the subject of loans, which came properly within the Department of the Treasury, and he found that, in 1867, the then Chancellor of the Exchequer (Mr. Hunt) had taken the same ground with reference to this proposal. The right hon. Gentleman said—

> "He was exceedingly anxious to see the Irish fisheries flourishing, but in assenting to the second reading of the Bill he wished it distinctly to be understood that he did not consent to many of the clauses as they stood, because he thought it was impossible to lend public money upon perishable articles, such as boats and nets, upon what he supposed was merely personal security."—[3 *Hansard*, clxxxvi. 1097.]

Again, last year his noble Friend the Earl of Mayo said, with reference to the same Bill—

> "The hon. Member laid great stress on that portion of the Bill which enabled the Government to grant loans for the purchase of boats and nets. But he must remind the hon. Member that even if the Government felt disposed to accede to such an application, there would be a great difficulty in obtaining the consent of Parliament. It would, therefore, in his opinion, be holding out false hopes to those engaged in this industry if he were for a moment to suppose that the House would permit the Government to lend money to private persons for the purchase of boats and fishing gear upon the personal security of those to whom the money was lent."—[3 *Hansard*, cxcii. 2020.]

On the other side of the House, therefore, the same language had been held with regard to the loan clauses of the Bill as had been made use of just now by his hon. Friend (Mr. Ayrton.) As to the administrative portions of the Bill, he was distinctly of opinion that when, five years ago, they withdrew the control of the inland fisheries from the Board of Works in Ireland and placed them under the Fishery Commission they took a first step which naturally and inevitably led to the placing of the other Irish fisheries in the same hands and under the same management. Without wishing to say anything derogatory to the Board of Works, he thought it would be far more advantageous that there should be no division of authority with regard to the fisheries, and that the control over them should be vested in the hands of men whose whole time and energies should be devoted to this important Department. If, then, his hon. Friend desired to press the Bill, he was prepared to assent to the second reading, not, however, committing the Government in any way to the policy of the loan clauses, but showing that the Government agreed with that vital portion of the Bill which proposed an administrative reform in the management of the Irish fisheries. A Board which devoted itself solely to this work would be better able to advise the Government than any authority which had yet existed, and it would be for the Government to consider how this reform should be carried out. In conclusion, he must add his testimony to the long and unwearied efforts of his hon. Friend (Mr. Blake) in promoting the object which he had so much at heart—the development of the Irish fisheries. His hon. Friend had done his duty as an Irish representative in taking up the matter, and would have aided in an important degree to place the Irish fisheries on a proper footing.

COLONEL ANNESLEY said, no man was more anxious than he was for the improvement of the Irish fisheries, but he would submit that, in the face of the opposition of Government, and of the declaration of many of his supporters, the most politic course for the hon. Member (Mr. Blake) to take would be to eliminate from his measure those clauses which had reference to advances of public money.

MR. MURPHY said, he was glad to hear that the Government agreed to place the Irish fisheries under a distinct administration. As to the remarks of the Secretary to the Treasury against interference with the agreements between the owners and the crew, that was very well as an abstract principle, but a practical knowledge of the fisheries suggested the absolute necessity of such provisions as were contained in the Bill. He had received a letter that morning from the superintendent of a fishing company with which he was connected, declaring that a compulsory agreement between the men and the owners of vessels was absolutely necessary at the commencement of each fishing season. When men agreed to ship at the commencement of the fishing season they should be bound to perform their contract, for the consequences of their neglecting to do so were often very serious. Under the Merchant Seamen's Act such an agreement was compulsory, and why should not the same rule apply to the fisheries? He did not think that portion of the Bill regarding public loans was an essential element of the measure; at the same time he thought t absurd to suppose that the granting of loans, under the circumstances referred to by this Bill was inconsistent with the principles of political economy.

COLONEL FRENCH said, he regretted hat the Government had declined to grant a loan for the objects sought by the Bill. He felt bound to complain that no Irish Lord of the Treasury had been appointed, a concession to which he thought Ireland was fully entitled. If there were such an officer the interests of Ireland would probably be better represented and attended to by the Government. He warmly approved of the principle of this measure.

MR. BLAKE said, he thought the statements made by the Chief Secretary for Ireland of so satisfactory a character for the most part that he was ready to accede to the proposal of the Government.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

SUNDAY TRADING BILL.

(*Mr. Thomas Hughes, Lord Claud Hamilton.*)

[BILL 5.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Penalties for selling, offering, and exposing for sale).

MR. THOMAS HUGHES said, he was willing to accept the Amendment given notice of by the hon. Member for Sunderland (Mr. Candlish), limiting the operation of the Bill to the metropolitan police district.

MR. RYLANDS said, this announcement furnished additional evidence that the Bill had been brought forward without due consideration. He therefore appealed to the hon. Gentleman not to press the Bill forward in the present Session. The measure was neither satisfactory to those who held extreme views as to the propriety of a rigid observance of the Sabbath, nor to those who entertain an opposite opinion. It must also be remembered that there was already on the statute book an important Act of Parliament bearing upon this subject. The 29 *Charles* II., c. 7, "an Act for the better observance of the Lord's Day, commonly called Sunday," was still in operation. It was said the Act of Charles II. had failed because it inflicted too small a penalty; but if a small penalty could not be levied, was it likely that a large penalty would? He could not suppose for a moment that the House would sanction the excessive penalties proposed in the Bill. As he had said on a former occasion that under this Bill a poor orange girl, for a second offence, would be liable to a minimum penalty of £20 for selling twenty oranges, and he did not think such a provision was calculated to induce the House to prefer the Bill of the hon. Member to the Act of Charles II. But the fact was that the Act of Charles II. was sufficiently severe in its penalties, as in addition to the fine of 5*s.* it rendered the hawkers of goods liable to forfeit the whole of their commodities. He again asked why was not this Act enforced? and until that was satisfactorily explained he contended that the hon. Member had shown no justification for the introduction of his measure. But the hon. Member proposed to leave the Act of Charles II. in full operation, whilst he added to it new and inconsistent enactments, the effect of which would be that if this Bill were passed magistrates would be embarrassed in the performance of their duties to decide under which law they were to act. They were now told that the Bill was simply to apply to the metropolis, but as originally drawn up it extended throughout the country, although the hon. Member carefully exempted his own constituents at Frome from its operation. The Committee would see by the 9th clause it was provided that it should not apply to any city, town, or hamlet, containing less than 10,000 persons, and Frome, by a fortunate accident, happens to have only 9,500. It would seem, therefore, that in the mind of the hon Gentleman the character of an Act in relation to public morality and legal restrictions depended upon a mere question of numbers, and that while the selling of an orange upon a Sunday would be perfectly legitimate in a population of 9,999, it would become a serious crime and misdemeanour punishable with heavy penalties if committed in a population consisting of a single additional soul. The numerous Amendments of which notice had been put on the Paper showed that the Bill had not been very carefully prepared. Some were intended to improve its grammar, and others to exempt the constituencies of the movers from its operation. One hon. Member (Mr. Candlish) proposed to restrict the Bill to the metropolitan districts, while another (Mr. Taylor) proposed to exempt the metropolitan districts. The end seemed likely to be that the Bill would be improved in its grammatical construction, and at the same time improved out of existence by its operation being applied to no portion of the kingdom. Under these circumstances he thought he was justified in opposing the further progress of the Bill, and would move that the Chairman do now leave the Chair.

Motion *agreed to.*

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

SEA FISHERIES ACT (1868) EXTENSION BILL.

On Motion of Mr. ANDREW JOHNSTON, Bill to extend certain provisions of "The Sea Fisheries Act, 1868," *ordered* to be brought in by Mr. ANDREW JOHNSTON, Colonel BRISE, and Mr. DONALD DALRYMPLE.

Bill *presented*, and read the first time. [Bill 156.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 10*th June*, 1869.

The House met at half-past Ten o'clock; and their Lordships having gone through the Business on the Paper, without debate—

House adjourned at a quarter past Three o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 10*th June*, 1869.

MINUTES.] — NEW MEMBERS SWORN — Hon. Reginald Arthur James Talbot and Thomas Salt the younger, esquire, *for* Stafford Borough.

SUPPLY—*considered in Committee*—ARMY ESTIMATES.

PUBLIC BILLS — *Ordered*—Special and Common Juries *.

Ordered—First Reading—Fines and Fees Collection * [159]; High Constables' Office Abolition, &c. * [160].

Second Reading—Exchequer Bonds (£2,300,000) * [152]; Petroleum * [131]; Sea Fisheries Act (1868) Supplemental * [146]; Poor Law Union Loans * [128].

Select Committee — Poor Law (Scotland) Act (1845) Amendment [80], Mr. Finnie, Mr. M'Laren, Mr. Grieve, and Mr. Craufurd *added.*

Committee—Report—Oyster and Mussel Fisheries Supplemental (*re-comm.*) * [76].

Report—Pier and Harbour Orders Confirmation * [114-157]; Pier and Harbour Orders Confirmation (No. 2) * [137-158].

Considered as amended—Diplomatic Salaries, &c.* [118].

Withdrawn—Copyright (Periodicals) * [93].

OPENING OF THE BRITISH MUSEUM AND NATIONAL GALLERY ON SUNDAYS.

PETITIONS. EXPLANATION.

Mr. W. H. GREGORY, in presenting two Petitions from London, one signed by 25,000 and the other by 20,000 persons in favour of opening museums on Sundays, and also two other Petitions to the same effect, said, that with the permission of the House he wished to say a few words on a question of Privilege. It was stated the other night by his hon. Friend the Member for Marylebone (Mr. T. Chambers), that two persons named Beck and Biggs had informed the Lord's Day Observance Society that they had forged a very large number of the signatures attached to the Petition from the metropolis. He (Mr. W. H. Gregory) was now authorized to state that a declaration had been made by the Committee of the National Sunday League, in which they state that they had found out that these persons had been in the habit of forging these signatures, and that they had eliminated every one of such signatures from the Petition. They further stated that these same persons were taken into the employment of the Working Men's Lord's Day Observance Society and paid by them for obtaining signatures to their Petitions, although the Secretary of the Sunday League had informed that society of the character of the persons, and why they had dismissed them. He had been requested to make this statement to the House, and it was only fair that he should do so after the grave imputations cast upon the authenticity of the Petitions.

Mr. HADFIELD was understood to express his satisfaction at the statement of the hon. Member.

Petitions *ordered* to lie on the Table.

PRESTON RAILWAY STATION.

QUESTION.

Mr. HERMON said, he was not aware of the lamentable accident which had just occurred at the Preston Station when he gave notice of the question to ask the President of the Board of Trade, Whether his attention has been called to the state of the Railway Station at Preston, owing to deficient platform accommodation for the traffic through that station; and whether, he will lay upon the Table the last Report made by Colonel Yolland on the subject?

Mr. BRIGHT, in reply, said, he believed that many would agree with him in saying that the Preston Station was one of the most inconvenient and disreputable in the country, when the amount of traffic which passed through it was taken into consideration. In 1866 Colonel Yolland made a Report upon it, and it was forwarded to the companies concerned, and also to the Mayor of Preston; but nothing had been done, because, although the London and North Western and the Lancashire and Yorkshire Companies were anxious to have a new station, they had not hitherto been able to agree upon the proportion of the cost which each ought to bear. He was glad to hear from his hon. Friend the Member for York (Mr. Westhead), who was a Director of the London and North Western Railway, that a plan which had been suggested by the London and North Western Company was under the consideration of the Lancashire and Yorkshire Company, and that there was some reason to hope that the two companies would be able to come to an agreement, and so secure much better accommodation than had hitherto existed at Preston. The Report of Colonel Yolland was now two years old, and he did not know that the facts at present were any different from what they were at the time the Report was made. As the subject was being considered by the companies, and was likely to be settled, perhaps the hon. Member would not deem it necessary to print the Report; but if he thought it necessary there was no objection to produce it.

COURT OF PROBATE (REGISTRAR CLERKS).—QUESTION.

Mr. MONK said, he wished to ask the Secretary to the Treasury, Whether the District Registrar Clerks of the Court of Probate, whose salaries are provided for in Vote 5, Class 3, page 151, of the Civil Service Estimates, are Civil Servants within the meaning of section 17 of the Act 22 Vic. c. 26?

Mr. AYRTON replied in the negative, adding that the clerks in question do not comply with two conditions which are imposed upon civil servants. They were not exclusively employed in the work of the registrar for the public service; but they were able to engage in private business, which many of them did. In exceptional cases, where the business of the registrar was large, the clerks might be exclusively engaged upon it; but, as a rule, this class of clerks was regarded as having a mixed employment. Secondly, these clerks were not subject to examination by the Civil Service Commissioners on their first employment, and, therefore, they did not comply with the conditions which would entitle them to be treated as civil servants for the purpose of receiving superannuation.

ARMY—COURTS MARTIAL.—QUESTION.

Mr. STACPOOLE said, he would beg to ask the Secretary of State for War, If the Second Report of the Commission on Courts Martial has as yet been presented; and, if so, when it will be laid upon the Table of the House?

Mr. CARDWELL: The Report, Sir, has been received. I have submitted it to Her Majesty, and I hope very soon to be able to lay it on the table of the House.

INDIA—MAHARAJAH OF MYSORE.

QUESTION.

Sir STAFFORD NORTHCOTE said, he wished to ask the Under Secretary of State for India, Whether it is true that General Haines has resigned the office of guardian to the young Maharajah of Mysore; and, if so, on what grounds; and, whether any change is to be made in the arrangements for the guardianship of the young Prince?

Mr. GRANT DUFF: In answer, Sir, to my right hon. Friend's first Question, I have to say that it is true that General Haines has resigned his appointment. This we know officially. The cause we do not know officially; but I have reason to believe that General Haines took a view different from that of the Government of India with respect to the nomination of a particular person to be controller of the young Maharajah's household, that he was censured by the Government of India, and that he resigned in consequence. We have received a telegram to say that Colonel Malleson has succeeded him as guardian.

THE NEW COURTS OF JUSTICE.

QUESTION.

Mr. BENTINCK said, he would beg to ask Mr. Chancellor of the Exchequer, Whether the Royal Commission for the building of the New Courts of Justice have appointed a Committee to examine all the questions of measurement and cost; and, if so, whether the Bill for acquiring the New Site on the Thames Embankment will be delayed until the Committee has reported; and, whether the Honourable Society of Lincoln's Inn have renewed their offer made in 1860 to provide Courts for the Equity Judges within the precincts of their Inn, and upon what terms?

The CHANCELLOR of the EXCHEQUER: It is true, Sir, the Royal Commission have appointed a Committee. I cannot state the exact terms of the reference, but in substance it is that the Committee shall inquire into the measurements of Mr. Street's plan, and also into those of the plan circulated among the Members of the House by the Incorporated Law Society, and so severely called in question by Mr. Street. It is not necessary that the progress of any measure through Parliament should be delayed on account of the appointment of that Committee. I cannot say that the Society of Lincoln's Inn has made a formal offer of the kind referred to; but something to that effect was stated by Lord Justice Selwyn to the Commissioners the other day, and no doubt he only said what he had a right to say. From what his Lordship said, it appeared that the Society were willing to renew the proposal if they thought it was likely to be accepted.

CANADA AND THE HUDSON'S BAY COMPANY.—QUESTION.

Sir STAFFORD NORTHCOTE said, he wished to ask the Under Secretary of State for the Colonies, Whether the Government have received any information as to the proceedings of the Parliament of Canada upon the Resolutions respecting the acquisition by Canada of the territory of the Hudson's Bay Company, which Sir George Cartier and Mr. Macdougall recently gave notice of their intention to submit to it?

Mr. MONSELL said, in reply, that the Government had received the Resolution which had been introduced into the Canadian Parliament respecting the acquisition by the Dominion of the territory of the Hudson's Bay Company, but had received no account of the subsequent proceedings.

UNDUE INFLUENCE AND BRIBERY. QUESTION.

Mr. J. S. HARDY said, he would beg to ask Mr. Attorney General, Whether a Candidate declared personally guilty of undue influence is subject to the same penalties and disqualifications as one convicted of personal bribery; and, if not, whether it is the intention of the Government to amend the law in that respect?

The SOLICITOR GENERAL: Sir, in answering the Question on the part of my hon. and learned Friend the Attorney General, I have to say I have taken an opportunity of looking up the law of the subject. I do not quite understand the purpose of the Question. However, a short inspection of the 17 & 18 *Vict.* c. 102, which is the governing statute, will show that, except in respect of a difference in the penalties which may be recovered by action from persons supposed to have been guilty of undue influence and from persons supposed to have been guilty of bribery, the law is precisely the same in both cases. A person found guilty of either is guilty of a misdemeanour, and is disqualified from sitting during the existence of the Parliament for the place in respect of which he was convicted; and the only difference is that, whereas actions may be brought against both, and both, on being convicted, must pay penalties, in the case of bribery the penalty is £100, and in the case of undue influence £50. I am not aware that the law makes any other difference between persons respectively guilty of these offences; and, as to the intentions of the Government, I cannot think that the difference between £100 and £50 is one for which it is at all worth disturbing the present state of the law.

UNITED STATES—MURDER OF CAPTAIN SPEER.—QUESTION.

Mr. CUBITT said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether any intelligence has recently been received from Her Majesty's Minister at Washington respecting the trial of the soldier of the United States Army, who was placed in custody charged with the murder of Captain Wilfred Speer?

Mr. OTWAY: Sir, the latest intelligence we have upon the subject is contained in a despatch of the 30th of May. From that we learn that the United States' Attorney General had given instructions to the District Attorney that no proper pains should be spared to collect the evidence with regard to the soldier accused of the homicide of this officer. The hon. Member, no doubt, is aware there was great difficulty in collecting evidence, owing to the witnesses being dispersed over the country; but, with the desire that a full investigation should be made, the United States' Attorney General has given instructions to the District Attorney to depart somewhat from the usual course of collecting evidence, and he will be empowered to obtain evidence in any other district, in order that the investigation may be full and complete.

CONTAGIOUS DISEASES (ANIMALS) BILL.—QUESTION.

Lord ROBERT MONTAGU said, he wished to ask, Whether the right hon. Gentleman the Vice President of the Committee of Council on Education intends to proceed with the above-named Bill that night, and if not, when it is likely to come on?

Mr. W. E. FORSTER in reply, said, he did not suppose that it would be possible to enter upon the discussion of the Bill that night. He proposed, if possible, to go into Committee on Monday next, but he supposed it would not be found possible fully to discuss the measure before Thursday in next week.

SPAIN—CASE OF THE "TORNADO."
QUESTION.

Mr. BENTINCK said, he understood that it was inconvenient to the Government that he should proceed to-night with the Motion which stood in his name relative to the seizure of the "Tornado." He would, however, beg leave to ask the Under Secretary of State for Foreign Affairs, Whether the Government have received from Spain a Copy of the Decree of the Council of State affirming the sentence of condemnation of the Court below; and, whether the hon. Gentleman will lay this Paper, together with other further Papers on the same matter, on the Table?

Mr. OTWAY in reply, said, that the Government had received the decree referred to, but it had been thought proper to give the parties interested in the vessel an opportunity of expressing an opinion upon it. Those observations had been submitted to the Law Officers of the Crown for their opinion, and when that had been given the Papers would be laid upon the table.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ARMY OF RESERVE.—RESOLUTION.

Lord ELCHO said, that since the Secretary of State for War had brought forward the Army Estimates two important debates had occurred in "another place." One was the result of a Motion by Lord Monck, the other arose upon the Motion for the second reading of the Militia Bill. The facts and figures brought forward upon these occasions would materially serve him in supporting the Motion he had placed upon the Paper, to the effect that it was most desirable we should have a thoroughly efficient Army of Reserve. The Secretary for War had stated various sound principles upon which an Army of Reserve should be based—namely, shortening the period of enlistment, shortening the time of foreign and of home service, and reducing each regiment to a peace standard, but preserving the *cadres* of the regiment that it might be increased to its full strength on the outbreak of war. But his right hon. Friend was entirely silent as to whether he had any foundation for a new system of Army Reserve, and although he had saved £1,000,000 by a reduction of 11,000 men, and the stopping of the manufacture of warlike stores, he had not said anything to show he had the means of filling up the vacancies thus created, nor that he had an Army of Reserve. Upon this ground he proposed to bring forward the Motion of which he had given notice, and justified his doing so at this stage because experience had shown him that when once the House was in Committee it was impossible to raise a satisfactory debate upon a general principle. Unless his right hon. Friend had prepared any definite plan for an Army of Reserve he recommended him to refrain from committing himself in the course of this debate, but to withhold his opinion until he had well considered the advice which would be tendered to him by hon. Members. His right hon. Friend had discharged his difficult task with marvellous knowledge, having been called upon to make his statement upon very short notice. There had been great changes made of late years in the administration of the War Office; and it was rumoured at one time that the War Office was in a state of war. He believed, however, that the various departments had been got into harmonious working. This double task remained to be performed—the formation of an Army of Reserve, and the binding into an harmonious and homogeneous whole the present disjointed Army Reserve, which they had to shape from the Militia, the Volunteers, and the Regular Army. He believed that if these various forces were welded into one homogeneous whole their actual numbers would be sufficient. They amounted, taken together, to between 400,000 and 500,000 men. He believed that to be enough, although unquestionably with 500,000 men homogeneously welded, as they now were not, we should be greatly in arrear of those vast armies arrayed on the Continent. The sum total of the forces of the five great Powers, France, Russia, Prussia, Austria, and Italy, amounted to something like

5,500,000 of armed men that might at at any moment be called into the field, and were thoroughly organized. Now, what to him at least was rather an aggravation with respect to the disorganization in which our military forces were was that he believed the principle of our military system to be perfectly sound, that we required no new law, that it was simply a question of administration of principles which were found existing in our statute book, and which had existed in this country from all time. He wished now to confine his remarks to the principle rather than to go into questions of detail. If we looked into the warlike history of this country, we found three great principles. There was, first, a Regular Army, paid, voluntarily enlisted for home defence or for foreign service, as the case might require. The second principle was the principle of home defence. We there found a paid Militia raised compulsorily — he was speaking of principle and theory—for home defence, with the power, which had often been most beneficially exercised, of volunteering for colonial or foreign service, as the case might be. The third, was the principle of voluntary service unpaid, which was to be found in what was commonly called our Volunteer force, and which had always been held to be an exemption from the second principle—namely, compulsory service for home defence. He believed these three principles to be perfectly sound, and that, by their simple application, without recourse to a new law, we might have our whole forces in such a properly organized state that we should not be open to the remark of a Prussian officer on Sir Hope Grant's Staff at the Dover Review, who said, "You have excellent stuff, but no organization." He would begin with the home Army. At one time the greatest possible jealousy existed with regard to the Regular Army, because it was an excrescence, not a regular growth ; the foundation of the English system being that every man was liable to military service, and that we were, in fact, an armed nation. That had been shown in an excellent compendium drawn up by Mr. Clode, solicitor to the War Office, who, speaking of our constitutional defence, said—

> "Independently of the Navy, the defence of the realm has mainly rested, both in theory and in fact, upon the people acting as armed citizens under and in support of the authority of the Crown, against foreign enemies or invasion, or against traitors or insurrection. Our national security has hitherto rested upon this solid basis, that the people as a race, brave, enduring and loyal, are able and willing at all times to defend themselves and their country though the world be in arms against them."

Now it should not be lost sight of that we were an armed nation, and so late as 1673 the House of Commons resolved—

> "That the continuing any standing forces in the nation other than the Militia is a great grievance and vexation to the people,"

—and he found in this book of Mr. Clode's that it was always the object of Parliament to fix the Army, in time of peace, at the lowest possible standard. Thus, in 1707, at the time of the Union with Scotland, the Army was fixed at 8,000 men. In 1711, at a time of war, it was raised to 201,000, a great many of whom were foreigners. In 1713, in a time of peace, the Secretary for War was ordered to lay before the House an estimate for 8,000 men, just as the Army existed in 1707. Anterior to 1792, as a rule, Ministers were obliged to reduce the Army to a peace establishment immediately that its actual services in war were no longer needed. Thus, in 1763, when we were at peace, the Army was reduced from 105,173 men to 45,942. He mentioned that merely as a matter of history to show that this course of action rested on the principle that we were an armed nation, and that every man was liable to serve. The gallant deeds of our Army were emblazoned in the history of the world and on the colours of our regiments, and it was an admitted fact that the regimental service was, perhaps, the most perfect that could anywhere be found. He last year quoted the authority of Mr. Ellice on this subject, who said "that the English soldier was the best pawn on the chess-board of the military world." When we looked back to the history of this Army one would suppose there could be no difficulty in getting a ready supply of men. The House would hardly credit this great fact that from 1800 up to the present time, exclusive of such Acts as Militia Suspension Acts, Ballot Suspension Acts, and Mutiny Bills, there had been between sixty and seventy various Acts of Parliament affecting either the Army, the Militia, or the Volunteers. How had this Army in the main been kept up in time of war? By enormous bounties, and that, too, when we had the ballot and the Militia. The cause was simply this, that, concurrently with the ballot and the Militia, we had a system of substitutes, and we had, competing against one another, the Militia giving £60, £70, £100 for substitutes, and the Army giving large sums in bounties to induce soldiers to take their place in the Line. In 1803 the bounty was £5 5*s*., the levy money £6 6*s*., or £11 11*s*. in all. A little later the bounty was £7 12*s*. 6*d*., the levy money £10 10*s*., making together £18 2*s*. 6*d*. In 1807 £14 14*s*. was given as bounty for unlimited and £10 10*s*. for limited service; and in 1809, during the height of the Peninsular War, the bounty was £16 16*s*., and the levy money £23 17*s*. 6*d*., so that in that year we paid £40 13*s*. 6*d*. in order to get a man into the ranks, with all the other expenses coming after. During the Crimean War the bounty was £6 and £8, the levy money £7 and £9, and the Militia had £1 more. But how did the system work? Did this reckless expenditure in the purchase of men, with the enormous debt which it kept up, give a certain and reliable force? Nothing of the kind. This country never had a force of which the Secretary for War could say—"Here is a certain number of men whom I can lay my hand on and transfer at once to the Regular Army." In 1854 the established strength was 124,801, there were actually serving only 122,464, or a deficiency of 2,337; that was in the beginning of the Crimean War. As the war went on the established strength was raised. In 1855 it was 189,956, but there were serving only 143,298, or a deficiency of no less than 46,658. Therefore, though that House voted 189,000 men, we could not get within 46,000 of that number. In 1856 the established strength was 205,808, the actual strength 155,406—that is, there was a deficiency of 50,402. In 1857, when after the Crimean War things had righted themselves, there appeared to have been—though he did not know the reason why—an excess of men serving over those who were voted, the established strength was 144,518, while 149,538 actually served. In 1858, at the time of the Indian Mutiny, the established strength was 169,413, and there were actually serving 147,532, being a deficiency of 21,881. That showed conclusively that whatever our system had hitherto been, as far as supplying fighting men for the Army went, it had signally failed, and failed at the very time when it was most needed. In time of peace we had something like the established strength, but when war came there was a deficiency, which, however, we had a certain means of supplying. Now, what was wanted was an efficient Army Reserve; and he held that this Reserve should be a force in itself; that it should be wholly separate from any Reserve which might be got from the Militia; and that there should be a Reserve of the Army itself. When he expressed his regret at the absence of General Peel from the House at all times, but especially in a debate on the Army, which that gallant Gentleman understood, perhaps, better than anybody else, there was no one who would not join with him in that expression. He did not wish in any way to criticize what had been done by General Peel in that respect. His intentions were excellent; but he knew that General Peel himself did not regard what he had proposed as going to the root of the matter. According to General Peel's plan the Reserve was divided into two classes, the first of which was not to exceed 20,000 men, who were to be liable to permanent service in the United Kingdom, or elsewhere, and were to consist of men who had served in any regular corps, and whose past service did not exceed the first term of enlistment. Well, three months ago the total number of men that they had of that first class, who were to number 20,000, was only 1,000. The second class, which was not to exceed 30,000, and to be liable to serve only in the United Kingdom, was to consist of the enrolled pensioners, out-pensioners of Chelsea and Greenwich Hospitals, and persons who had served in any of the regular forces for not less than the full period of the first term of enlistment, that being twelve years. Of that latter class, three months ago, they had 22,000. Of these men, 3,800 had served their first period, and had gone into the Reserve; and the remaining 18,200 came under the other catagories of out-pensioners, marines, &c., who were generally from forty to sixty years of age. So that our Army of Reserve about three months ago amounted to a total of about 23,000 men made up as he had described. That that was a satisfactory state of things no one would for a moment maintain. The result was that Secretaries of State for War, Members of that House connected with the Army, and officers out-of-doors, were all puzzling their brains to discover some satisfactory system of enlistment which would give them a certain and reliable Army Reserve of such numbers as would admit of their reducing the strength of their regiments in time of peace, and as would enable the Secretary of State for War, in case of emergency, by pulling a bell, at once to order a certain number of men to fill up the *cadres* of their regiments. He recollected that on one occasion, when it was said in proof of the pacific intentions of the Emperor of the French, that he had sent 120,000 men away from the Army, a French gentleman replied—"That is only a matter of fourteen days," in which time he could get them all back again. He had read a great many pamphlets upon the subject, and he had talked with a good many persons who understood it; and he thought that the soundest system was that proposed two years ago by the Quartermaster General Sir Hope Grant. The principle on which that system rested was short periods of service, combined, however, with a longer period of enlistment than at present. At present the soldier enlisted for twelve years; he had no pension at the end of that time; but if he chose to re-engage and serve for another nine years, at the end of twenty-one years he was entitled to a pension of 8*d.* per day. The proposal of Sir Hope Grant was that they should enlist men for twenty-one years at the outset, dividing the twenty-one years into three periods of service, say of seven years each; that the men should serve the first seven years with their regiments at home and abroad, and that they should after that go into the first class of the Army Reserve. They would then have earned a certain sum as Reserve pay, not as pension—a distinction which it was necessary to bear in mind—and that sum might be 2*d.*, 3*d.*, or 4*d.* per day, or whatever amount might be xed upon. They would then be liable, n the event of war or public necessity, o be sent to their regiments for the next seven years. At the end of that erm, or after fourteen years, they would eceive a further portion of Reserve pay ather than the 2*d.*, 3*d.*, or 4*d*; and then they would enter on the third stage of their service for another seven years—making up the entire twenty-one years—and become liable to service at home only in the second Reserve. Now, supposing they now engaged 10,000 men per annum on those terms to feed their Army. At the end of the first seven years, making allowance for deaths, they would have 68,000 instead of the whole 70,000, entitled to receive a certain sum as Reserve pay. They would be liable, whenever required, to go abroad or serve at home; and, in the meantime, it was to be hoped they would be practising some trade or other occupation. Those men would be drilled annually for a fortnight, a month, or whatever other period might be deemed best. His own opinion was that they would be best drilled with the Regular Army, and this plan would not require that there should be any additional Staff. By-and-by he hoped the country would be divided into districts; and they could fill up their skeleton regiments with those men in proper proportions; and then they would be doing, in time of peace, exactly what they would have to do in time of war, and thus be acquiring efficiency for war. At the end of fourteen years the 68,000 would have further decreased by deaths to 63,000, according to the calculation furnished to him, and, supposing at the end of fourteen years they gave them the eightpenny pension, they would then be receiving pensions as was now done after twenty-one years' service. He knew there were objections taken to that on the score of cost. But it rested with the nation to say whether it would adopt the principle of enlisting men for twenty-one years, breaking up that term into three such periods as he had described; and then they could have what number of troops they chose, more or less, for their established strength, according to the exigencies of the State or the requirements of proper economy. Recruiting could be stopped if they had more men than they wanted. Once they had established an Army Reserve and offered to re-enlist a certain number of men on the terms to which he had referred, his impression was, from all he could hear, that there would be no difficulty in getting plenty of them. As regarded the cost, he said the cost rested with themselves—it would be what they chose to make it. As to the question of pension, he asked the House to bear in mind the distinction between Reserve pay and pension. A Reserve pay of 6*d.* would go as far as 1*s.* did now. He knew that there were gentlemen at the War Office who were dead against pensions, and who thought that men should be enlisted for three years; and that when they were wanted they would return to the Army. He himself, however, was a very strong advocate for pensions. What they had to do was to make the service attractive, otherwise they could not hope to compete in the labour market with private employers. The advantages they had to hold out to the recruit were that they clothed him, comfortably housed him, taught him—as it was to be hoped they would do—a trade, fed him well, amused him more or less, and gave him a canteen where he could get better beer for his money than he could obtain elsewhere. Those were the inducements which with their 4*d.* a day they had to offer the labouring man. But when the push came, as happened during the Crimean War, how stood the case as between the soldier and the man employed in their Army Works Corps? They might have had two brothers in the Crimea, one of them being a soldier, liable to be shot, in receipt of 1*s.* a day and his working pay with its deductions; while the other brother might have gone out in the Army Works Corps to construct a railway or the like, for which he would receive, without being liable to be shot, 6*s.* per day if he were an ordinary labourer, and 7*s.* and upwards if he were anything of a skilled artizan. He regarded a pension as a benefit society for the soldier on the security of the State. The whole tendency of the nation was in the direction of benefit societies, as was evidenced by the large number of people who joined the Freemasons', the Foresters', the Odd Fellows', and the numerous societies whose rules were certified by Mr. Tidd Pratt. The men on service in India might be retained two or even three years longer if necessary, which would make the term of service ten years, which until lately was the period of enlistment. His impression was that men would readily come forward to join if this country would follow the example of France, and open up the Civil Service to the common soldiers. He trusted the Government would give employment in the War Office and other Departments of the State to deserving soldiers who enlisted under this system at the end of their first period of service. If all these inducements were held out he believed it would even be necessary to restrict the number of recruits, so anxious would men be to enlist under this system. At all events, the plan might be tried. If it succeeded it would be a very good thing; if it failed we should be no worse off than we were before. In the present position of the question of Army Reserves we ought to proceed tentatively, and to try various schemes. In the event of failure we could revert to the present system of twelve years' enlistment. The plan he was advocating would not interfere in any way with the Reserve scheme proposed by General Peel. He now came to the Militia, which was regarded as the only constitutional force of the country. Many people were of opinion that this force was not so highly thought of now as it was a few years ago. He doubted very much, however, whether such were really the case, his impression being that all who had applied themselves to the consideration of this question held that this constitutional force, which originated in the old Trained Bands, was the only force in the shape of an Army Reserve that we had ever had, and he himself thought that by means of the Militia we might establish an efficient Army Reserve at the present day. In point of fact, the Militia was the backbone of our military system, occupying as it did a middle place between the Regular Army and the Volunteers. Hitherto it had been made to serve two purposes, one of which had defeated the other. It had been made a filter through which men were to pass into the Army, and therefore he maintained that the Army ought to have a Reserve system of its own. The effect of this filtering was that if a large number of men were sent into the Army, the Militia became *pro tanto* inefficient. It might indeed be said that this system worked well in time of peace; but, in times of difficulty, when it was necessary to send the Army abroad, we should be sorry to have the Militia full of raw recruits, instead of being a real Army of Defence for the country. Therefore the present system appeared to him a wrong one. Yet this filter system had not even been thoroughly successful in attaining the object aimed at. Under General Peel's Militia Reserve Act 20,000 men might be enlisted to serve for five years, and would be liable to be transferred to the Regular Army. These men received a bounty, and a regulation was laid down that no married man should be permitted to join this Army Reserve. In reference to this he might incidentally remark that, under Sir Hope Grant's system, all questions as to the marriage of soldiers were, at the expiration of the first septennial period of service, got rid of altogether. Under the existing system married men were not permitted in the Militia, and if they married after joining that force they were dismissed from it. But it was found that a great many men about to get married enlisted for the sake of the bounty, and were turned out when they got married. Thus each of those men obtained the £1 bounty without rendering any equivalent service to the country. Well, the total number enlisted last year under General Peel's Act was 2,006; and on the 9th of June, 1869, fifty-one regiments had given to the Regular Army 4,269 men, whereas they should have given 6,942, so that there was a deficiency of 2,673. Forty-five regiments, however, had not yet sent in their reports. He knew of one regiment which only gave twenty-six men, and of those some, he believed, had not attested. As far, then, as the Militia Reserve had gone, it had not answered the expectations entertained respecting it. No doubt there were in the House officers whose opinion must carry great weight, who would express their belief that the system was a sound one, and that the necessary number of men would be obtained for the Army; but he was acquainted with other officers of Militia regiments who took a totally different view of the matter. Another system of Reserve had been proposed by Lord Norreys, under which, instead of men being filtered into the Army through the ranks of the Militia, whole Militia regiments would volunteer into the Army. It was well known that in the Crimean War—and the same was the case in the Peninsular War, the Irish Rebellion, and the Indian Mutiny—when the nation was short of men in the Army, the patriotic Militia regiments were asked whether they would undertake to go abroad on garrison duty, and he believed they had invariably consented to do so. Lord Norreys, however, proposed that, instead of asking each regiment separately to go abroad, the Secretary of State should apply to the regiments of Militia to know which of them would be willing to be inscribed on a roster for a certain number of years, during which they would be liable to be sent on garrison duty in the colonies and on foreign service. A colonel of a Surrey corps of Volunteers had told him he believed that every Militia regiment would respond in the affirmative to such an appeal, and, further, that officers would not ask the Government for any honorary rank in respect of foreign service. He would now quote a passage with regard to the Buckinghamshire Militia—

> "In June, 1798, the regiment volunteered with the colonel, the Marquess of Buckingham, to serve in Ireland, that country being at this period in a state of rebellion. The regiment embarked at Liverpool for Dublin, and arrived on the 2nd of July following. Their reception by the public authorities was highly complimentary to the regiment, it being the first English Militia regiment that had landed in Ireland; other regiments soon after followed their example. In the spring of 1799 the regiment returned to England, and in the same year a volunteering to the Line took place from all Militia regiments, and on this occasion the Royal Bucks King's Own Regiment furnished 400 men, including sergeants, corporals, privates, with the regulated proportion of officers, all of whom joined the 4th, or King's Own, Regiment of Infantry. The regiment afterwards furnished yearly (principally to the 14th, or Buckinghamshire, Regiment of Foot) its full quota of men during the war. In the year 1801 the regiment, with their noble colonel, then Earl Temple, volunteered to serve in Spain during the period the French Armies invaded that country. The Ministry did not avail themselves of this offer; but the proposal met the highest consideration from the Commander-in-Chief, the Duke of York, for the gallantry thus displayed by the corps. The regiment, in 1813, again served in Ireland, as then by law established. During this period the intention of Government to form provisional battalions of Militia gave another opportunity to call forth the gallantry of the regiment. The First Provisional Battalion of Militia, composed of the Royal Bucks King's Own Regiment, and commanded by their noble colonel, the Duke of Buckingham and Chandos, who embarked with the battalion in 1813 for Bordeaux, served in France under his Grace the Duke of Wellington during the time the Allied Armies were in possession of that country. On leaving, each officer of the First Provisional Battalion of Militia was presented with the Fleur de Lis by Louis XVIII."

The country would be obliged to have recourse to that system again if she was engaged in war; and there were many persons who deemed it desirable that we should have some such system in time of peace. We might rest assured that, in calculating the strength of this country for war purposes, any foreign power would consider it a great element of strength with us if they knew that in addition to our Regular Army we had 20,000 or 30,000 Militiamen, who could at a moment be brought into the Lines of our Regular Army for service at home or abroad. The Militia, he might add, represented the liability of every man to personal service; and in theory it was one of the principles of the military system that this Militia was raised and paid by compulsion—that was by the ballot. Now, he knew that the word "ballot" sent a cold shiver through many persons. But why, if we had the ballot for the Militia, should we not have it for every other service? Why was not our Army raised by the principle of conscription? If this country were not an island, divided, separated from our Continental neighbours by that ditch of twenty-one miles of water, no man could doubt but that we should have to follow the examples of France, Belgium, Austria, and Switzerland, maintaining the strength of our Army by means of the conscription. Far be it from him to undervalue the services of our Navy, which was our first line of defence; but, in these days of steam and iron-clads, the strength of that Navy as compared with the Navy of France was a matter well worthy of attention. He found that the English iron-clad fleet, broadside and turret, afloat and building, amounted to thirty-four, of which six were turret-ships. We had besides five floating batteries; but of those only one was in England and serviceable to the State. That gave for the English fleet a total of thirty-nine. The French had afloat, or *en chartin*, in stock, of the largest class of vessels, two; frigates, fifteen afloat and four in stock; corvettes, nine afloat and one in stock; *gardes côtes*, four afloat and three in stock; making in all thirty-eight, while they had in addition fifteen batteries *flottantes*, giving a total of fifty-three. Thus much for the ships. He came in the next place to the manning, and he found that our Naval Reserve, which had lately been out at sea under the command of his right hon. Friend the First Lord of the Admiralty, consisted of Coastguards, 7,225; Naval Reserve, 16,036; Coast Volunteers, 3,681; or, in all, 26,942 men. That was the Reserve which we could lay our hands upon; but the French had got a conscription, and they could send every fisherman whom they pleased, or landsman if they chose, on board their ships. It would be seen, therefore, that not only had France more ships but better means of manning them than we had; so that our security against attack was not so perfect as it was in old days, and he thought that in seeking that the principle of the ballot in connection with our home defence should be recognized and established he was not asking anything very unreasonable. A great authority upon the subject, the late Sir James Graham, who was Chairman of the Army Organization Committee in 1860, said,—

> "The force of the Militia at this moment is 70,000 men, their quota being 120,000, and the ballot has fallen into desuetude. In the event of war the Queen's Army, the Marines, and the Militia must be largely and suddenly augmented. It is a grave question whether reliance can be safely placed in such an emergency, however large may be the bounty, on voluntary enlistment only. If volunteering failed, the danger to the State would be imminent, but the existing legal machinery for bringing the ballot into operation is cumbrous in the extreme, and if in peace no provision be made for such an extremity much precious time would be lost at the critical juncture, and the danger might be great."

That opinion he believed to be perfectly sound, and all he wanted was that the principle which it recommended should be adopted, and that the necessary machinery for giving it effect should in time of peace be put in working order. Unless we were prepared to say that we should get rid of the ballot and go into the market and could give £60 or £100 a piece for our men, we must act in accordance with the advice of Sir James Graham. We had plenty of men now, trade was dull, and we had the command of the market to a certain extent; but what security was there that, if we should happen to be at war with France and another great Power combined with her to-morrow, we should not find ourselves exactly in the same position as in 1858, and on the previous occasions to which he had referred? The Government, he maintained, would fail to discharge their duty unless they oiled the machinery at their disposal. England might be divided into convenient districts for the purpose of raising men, and the other necessary steps might be taken to see how the system for which he was contending would work. We had at present 120,000 or 130,000 Militiamen. The Secretary of State might raise 60,000 men out of the 200,000 men who came of age every year. Let them test this principle of the ballot, then, by raising, say 25,000 men at the rate of 5,000 a year, spreading the demand over five years. By this system only one man in forty every year out of the 200,000 would be called upon to act. It would not be necessary to drill or train them. The five years might be reduced to three years if necessary. Only let them be enrolled by ballot, and let there be no substitute. Under such an arrangement there would be always a sufficient number of men available for service without the necessity of inflicting hardships on any of the men, unless in the event of war breaking out. They would then have their machinery in working order for putting the men in training, and it would have the effect, as he believed, of binding up harmoniously the whole forces of the Empire. It was impossible to get at the Volunteers by Mutiny Acts; and the only way of doing it was by the old constitutional principle, upon which the Volunteer force had always existed, that of being a Volunteer force and exempted from the general conscription. What was the early history of Volunteers? That Force was to be traced in every national emergency. He wished to speak of the Volunteers, not as a Volunteer, but as a Member of Parliament and a citizen. There was present in that House an hon. and gallant Friend of his (Colonel Loyd Lindsay) who represented the oldest force in the country, because he represented the London Artillery Company, and that company represented the old Train Bands of the time of Henry VIII.; but if we looked to the history of the Volunteer Force in our own day we found that it had had three phases. It was exactly ten years and a month since General Peel, who was then Secretary for War, sanctioned the formation of this Force. The first phase of its history was that in which it was exposed to ridicule. He remembered Lord Palmerston cracking jokes at its expense. The next phase of its history was that in which 24,000 or 25,000 Volunteers marched past Her Majesty in Hyde Park. The Duke of Wellington said that if a General marched 5,000 men into Hyde Park he would not be able to march them out again; but the 24,000 or 25,000 Volunteers marched out of Hyde Park in an hour and twenty minutes. After that day in Hyde Park the Volunteers received praise from all directions. Phase No. 3 was the latest in the history—it was that of criticism of the Volunteers, which criticism, he maintained, was as unjust and as unfounded as the exaggerated praise which they received some time ago. The public had been told that the Volunteers were an undisciplined, disorganized, and almost useless body—that they would be of no value whatever except behind stone walls. The last Review at Dover was selected as a proof of their inefficiency; but in his opinion that Review was one of the strongest proofs of their efficiency that could by possibility have been afforded. On one of the severest days he had ever known, men who had been dismissed, after having been drenched with snow and salt-water, re-assembled within a very short time at the call of his Royal Highness the Commander-in-Chief and went through the operations of a field-day. But in speaking of the movements of that day military correspondents had dipped their iron pens in gall. What had the *Saturday Review* said on this criticism? This was an extract from its article—

> „It is so easy to run down any large organization like the Volunteers. The method is obvious. Pick out a fault committed by an individual—if he is a Volunteer so much the better, but, if not, a General Officer straight from Aldershot, or a Dover rough will do, if only he happens to have been present in the same field with the Volunteers. Having dwelt on the enormity of the error, slide easily in the next paragraph from the singular to the plural, and wind up by attributing the fault to the whole body of Volunteers as their habitual practice. Having done this, sigh over their want of discipline and training, and tell them that if they do not speedily improve they ought to be abolished altogether, or at least compelled in future to pay the whole instead of half of their expenses."

But there were other soldiers at the Dover Review besides those who penned the hostile criticisms, and soldiers of greater experience in the field than those from whom those criticisms had come. They had expressed a very different opinion of the behaviour of the Volunteers, so that he did not think the Force had lost anythink by the attack. What was the meaning of that attack? It had arisen from an apprehension that the existence of the Volunteer Force might bring about reduced Estimates. It was right to say that from the Commander-in-Chief, and the Army generally the Volunteers had received every assistance, and that the best feeling existed between the Regular Forces and the Volunteers. Except with the most infinitesimal section of the Army there was a desire on the part of military men that the Volunteers should exist and flourish, and that the whole of the Forces of the Empire should be bound up together by measures taken by the Government. He had merely pointed it out to show Parliament and the people that they ought not to be led away with the idea that the Volunteers were an undisciplined, disorganized, and useless body, and he was astonished to find their discipline was so good. For ten years 170,000 men had served in the manner they had without any inducement except patriotic motives, and under no restraint other than when under drill. There might have been a few instances of want of discipline, such as at Windsor last year, which caused a feeling of shame and indignation; and when the Force as a body wished that the peccant limb should be cut off, the battalion company were struck out of the *Army List*, though subsequently re-instated, no doubt upon good reasons shown. There was another instance at Dover of want of discipline on the part of an officer, and every possible interest was being used to prevent his being struck off the roll; but he (Lord Elcho) hoped no personal, private, or political interest would prevail, but that he would be struck out. He had applied to General M'Murdo and Colonel Erskine, both of whom had been Inspectors of Volunteers, for their opinion of the Force, and he had put to them five questions, which were shortly these —First, with reference to discipline; secondly, whether in their opinion it was desirable that the Volunteer Force, should be placed under the Mutiny Act in time of peace; thirdly, whether they were only fit for garrison duty; fourthly, with regard to the number of drills for recruits and efficients; and, fifthly, whether they thought that simplification of drill would increase the efficiency of the Force. As to discipline General M'Murdo said the Volunteers were amenable to discipline, and that he had never seen troops so easily recalled to a sense of their duty, or who would accept more cheerfully any amount of inconvenience the service required of them. On the same point Colonel Erskine said he had found throughout an earnest desire to conform to the requirements of discipline; and that when from time to time a failure in this respect might have occurred it was generally attributable to a want of acquaintance with the rules and customs of military service, and not to a disregard of what was known to be right. Both General M'Murdo and Colonel Erskine were opposed to the Volunteers being placed under the Mutiny Act. They thought the present law sufficient, and that no change should be made until the powers at present vested in the Crown had been exercised with as much stringency as circumstances might require. Here, he might observe, that the Volunteers themselves liked discipline. The officers did exercise their powers of enforcing discipline, and he did not know what additional powers were wanted. General M'Murdo, in his letter, said—"I asked General Garibaldi how he maintained discipline among his troops? and he replied—'By dismissal;'" and he added, that if any insubordination arose it was owing to a want of courage on the part of the commanding officer. In reply to the third question, whether the Volunteers were only fit for the garrisons of fortresses? General M'Murdo said—"God forbid that such pernicious doctrine should ever prevail;" and Colonel Erskine said—"With the additional training which they would receive the Volunteers would be fit for the field." With reference to the question of the efficiency of the present drill, General M'Murdo said there was no change of opinion as to the sufficiency of the present drill, while Colonel Erskine thought that recruit drill might be increased. Upon the question of the simplification of the drill, both agreed as to the necessity of simplifying the drill in order to secure efficiency. General M'Murdo said — "A simplification of drill would tend to increase the efficiency of the Line, as well as that of the Reserves;" while Colonel Erskine replied —"I have no hesitation in answering in the affirmative. I consider it very desirable that the drill of all Arms should be restricted to what is absolutely required to qualify soldiers for actual service." There was a Committee sitting at the Horse Guards at the present time to consider this subject, and he trusted that they would devise some system by which the drill of all Arms should be restricted to what was required to qualify the soldiers for actual service. By all means let the soldiers be drilled so that they might stand as steady as a rock, or execute manœuvres with facility; but the present system was a mere cat's cradle, and a complete puzzle. The drill ought to be so simple that it would be utterly impossible to club a regiment. It had been asked what services the Volunteers were likely to render in the field; but had they not finished the New Zealand war? Colonel D'Arcy, the Governer of Gambia, on the West Coast of Africa, stated that the Volunteers had saved that colony by their gallantry, and that one of them had received the Victoria Cross. These were instances of what the Volunteers could do, and proved that they were not likely to run away when they saw the enemy, as it had been insinuated they would do by some persons. It was evident therefore that the Volunteers would form a very important element of our national defence. He would then touch upon the present position of that Force, and, in the first place, he would refer to the Capitation Grant. It had been his duty, some short time since, to wait, with a deputation, upon the Secretary of State for War, in order to urge upon that right hon. Gentleman the necessity of increasing the amount of the Capitation Grant, and he had reason to believe that the question was being taken into consideration, because he, in common with other Volunteer officers, had received a circular, asking for details respecting the expenditure of the Volunteer regiments. He was satisfied that the right hon. Gentleman was so fully convinced of the necessity for keeping up this Force that he would do his utmost to forward its real interests. He believed that, independently of the Capitation Grant, much might be done to promote the efficiency of the Force by means of proper organization. A great deal had been accomplished by dividing the country into military districts, and he hoped that the right hon. Gentleman would stick to that system. Under its operation the Army and its Reserves, the Militia and the Volunteers, were brought into intimate communication. Should the right hon. Gentleman desire to increase the amount of the grant given to the Volunteers, the additional money could not be applied better than by appropriating it towards their travelling expenses, which would enable them to brigade with the Regular troops and the Militia. He would humbly warn the right hon. Gentleman against unduly diminishing the Army Staff. In every military district a Staff adequate in the event of war breaking out should be kept up. The Prussian system, under which, when a General took the field, he knew, and was known by all his Staff was an admirable one, and the advantages resulting from it, when a force of 100,000 or 200,000 was placed in the field at the commencement of a war, might be easily conceived. Another point he wished to impress upon the right hon. Gentleman was the necessity for keeping up large reviews, which, even if they did not greatly conduce to the efficiency of the Volunteers, were of vast service to the Staff in teaching them their duties practically. In the course of his observations he had been anxious not to urge his own personal views upon the House, but to confine himself to laying before them the opinions of those who were regarded as being high authorities upon these matters. He was particularly desirous to guard against its being supposed that he was in favour of what were called "bloated armaments." No man in the House could regret more than he did the fact that on the Continent of Europe nearly 5,500,000 men were taken away from peaceful labour to be trained in the art of war. But in this country we had organized a system which rendered it unnecessary to take men away from their peaceful avocations. It was in the interest of peace that he was desirous of seeing this country strong, and of seeing the Reserve Forces well organized and well welded together with the Regular Army. This country should be in such a position as not to be touchy or quarrelsome, but prepared in the event of war to defend itself against every possible foe.

> "Beware
> Of entrance to a quarrel; but, being in,
> Bear it that the opposer may beware of thee."

This country had already obtained a full measure of glory, and there was no desire on our part to meddle with Continental affairs; but, in the future, times might come when, however anxious we might be to remain at peace, and to pursue our ordinary commercial affairs, interest and honour might require us to take part in some foreign war. There were such things as treaty obligations; and self-interest might compel us to interfere with respect to Belgium and Egypt. As far as Belgium was concerned, there was a personal guarantee on the part of this nation; and if any attempt were made to endanger our line of communication with India, we must be prepared to strike a blow in its defence. Let them rely upon it that the best system of home defence was to be prepared to strike a blow elsewhere; and if we had a disposable force of 50,000 men ready to be sent to any part of the world, that would have a considerable effect in preserving peace, because the odds would certainly not be against that Power which was supported by 50,000 or 100,000 English soldiers. He must conclude by thanking the House for the patience with which they had listened to him, and by expressing a hope that at the next Dover Review our military organization would be so improved as to put it out of the power of any Prussian or other foreign officer to say—"Your material is excellent, but you have no organization." The noble Lord concluded by moving his Resolution.

Mr. AKROYD, in seconding the Motion, observed that, in a commercial point of view and as an insurance against invasion, we ought to have an ample and efficient Army of Reserve. Nothing could be more desirable or prudent than to insure this nation against the probability of attack by a foreign enemy. But insurance was useless unless confidence were felt in the validity of the insurance, and therefore an Army of Reserve must be both efficient and adequate for its purpose. France, Russia, and Prussia were each capable of bringing 1,000,000 soldiers into the field. Hence the Army of defence ought to bear suitable proportion to the Army of attack, and should number not less than 500,000 men. In our extensive system of railway communication we enjoyed great facilities of concentration for purposes of defence, but, on the other hand, there was a source of weakness in the sister isle. Till Ireland became thoroughly loyal it would always be necessary to set aside a certain force to keep the discontented spirits of that country in check. It was said that the British Channel was capable of being bridged over by the facility of steam transit. But our collective Army should be sufficiently numerous to act as a deterrent. The Army should not exist on paper only. There must be a large Army of Reserve, ready to take the field at short notice. How was that Army of Reserve to be constructed? We had a considerable difficulty in the maintenance of a large standing Army. Every British soldier cost something like £90 a year; and supposing the mechanic who became a soldier earned 30*s.* or 40*s.* a week in his ordinary employment, those weekly earnings must be added to the amount received by him as a soldier in order to ascertain the soldier's cost to the country. The combination of the Volunteer system with that of the Militia he looked upon as highly advantageous. Among the lower class of the agricultural population there were always plenty who could spare a month in the year for Militia purposes, answering to them the purpose of a holiday. Those, on the other hand, who laboured in connection with machinery could not be spared for any corresponding period, and for them the Volunteer Force was especially suited. They were able to drill in the evening, after the close of the day's occupation, and this gave to the country the benefit of their military duties without sustaining personal inconvenience. He did not believe that the adoption of the ballot for the Militia would be unpopular with the bulk of the population. There was no difficulty at present in getting Volunteers from among the working classes; the proportion, indeed, of Volunteers was increasing among them, and diminishing among the middle classes. It must be borne in mind that modern wars were all short, sharp, and decisive, and that, unless the men had been trained beforehand, there was little likelihood that in future any large bodies of men could be trained during the progress of the war itself. Volunteers themselves were quite ready to admit the need for a stricter drill than that to which they had been subjected. They asked nothing better, indeed, than to be considered a portion of the Regular Forces for the defence of the country. The present moment was especially opportune for calling upon the great body of the people to give more ime to the preparation for national protection. The working classes at present were flushed with the consciousness of their newly-acquired privilege as electors, and hence were additionally willing to come forward in defence of the rights which they had gained. The working classes, according to his observation—possibly because they had ess to lose—were less selfish than the wealthy in their national feelings, and heir great desire was to see their common country glorious and powerful. He be-ieved that if the Government would grasp this question boldly, they would have no difficulty whatever in inducing he country to assent to the principle of ballot for the Militia.

Amendment proposed,

To leave out from the word "That" to the nd of the Question, in order to add the words "in the opinion of this House, the establishment f a sufficient and reliable Army Reserve is a matter of urgent need,"—(*Lord Elcho,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

COLONEL C. H. LINDSAY was glad that the noble Lord the Member for Haddingtonshire had brought this question before Parliament, for to say the east of it, it is—and has been for some me—one for serious consideration, and ne time had arrived when some decided pinion should be expressed by the House upon the anomalous state of the ation as a great military power, which is supposed to be. So much had been aid and written in hard criticism upon ur comparatively defenceless condition, nd so many hard hits had been given our military authorities—unjustly, because they are powerless without legislation—that it is, indeed, high time that me immediate remedy should be applied to so undignified a position—a remedy that would be satisfactory to all terests. And now that the problem as been again put forward, it ought to be well discussed, in order to arrive at a und solution. But as year after year lls by, and no decision or settlement as been arrived at, he submitted that e House ought to be deeply anxious discuss the question as a matter of gent business—and as he apprehended at the House and the Government must unanimously agree with the Motion of the noble Lord that the establishment of a sufficient and reliable Army Reserve is a matter of urgent need, he hoped and thought that the Government would be in a position to declare its intentions and produce a clear and distinct scheme, which—after the length of time that the question had been under the consideration of more Governments than one—was due to the country; and would re-assure it that some real and effective organization was ready to be submitted. The question was not the state and efficiency of the British Army, but it was a question of vital importance to it in time of peace, preparatory to that of war. It referred to one of the most important requirements of a nation—to a something upon which to fall back in time of need; it referred, indeed, to the want of that something—namely, an Army Reserve, without which the nation, the Army, and the Commander-in-Chief himself were in a false and undignified position. He thought the noble Lord had clearly enunciated his views on this great question, and explained much that ought to be cheerfully endorsed and approved of by the House and the country; and we ought to be grateful to the perseverance which he always evinces on all questions relating to our military resources in every shape. He has, not for the first time, broached this great question in this House, and I am sure it will not be the last, unless something be decided to his satisfaction. The noble Lord asked for a Royal Commission last year. And why did he ask for it? Simply and solely for the purpose of collecting information for legislation, and so strengthening the hands of the Government as to assist in the solution of the difficulties which have seemed to exist. Well, he was requested to withdraw his Motion, which is tantamount to shunting the question for twelve months. Are we going to shunt the question which is again raised for another twelve months? I trow not. For to-night the noble Lord has brought forward a Motion of which he cannot with decency be asked even to alter a single word—for no Member in the House can disagree with it, and therefore the fullest discussion is desirable, and in a co-operative and suggestive spirit. Sir, it is perfectly plain that the object of an Army Reserve, so well explained by the noble Lord, is to guarantee to the nation in time of peace an extensive machinery for meeting the exigencies of war, in lieu of the hitherto contracted, but non-elastic establishments which exist at present. The Government know this—everyone knows this. But it will require more heads and minds than one to decide upon the best and most effective plan for realizing the object and secure it from failure. He did not think it difficult to devise a practicable plan. But, if it be clogged and fettered by the usual and false economy, it will fail again; and he felt sure that, in a question such as this, the greater the liberality the greater the inducement, and, therefore, the greater the chance of success—which is always economy in the end. His Royal Highness the Commander-in-Chief, who has anxiously considered the subject, has already expressed his opinion that a Reserve Force of 40,000 men could be formed, in the first instance, by appealing to the various regiments of Militia to give a quota of men according to their proportionate strength, while continuing to serve in the Militia in time of peace, but ready to join the ranks of the Army in time of war—a scheme which is already in existence, but a very limited and uncertain operation. This is one plan. But there may be many plans upon which to form this Army Reserve in its entirety which may or may not have some merit. And, no doubt, a variety may be put forward in this discussion, which may or may not assist in the solution of this question. He agreed with the noble Lord in the opinion he expressed upon the shorter period of Army service, and that the division of the twenty-one years into three equal parts was the best he had heard of—for, if he understood it, a man will enlist for twenty-one years, during which period the country will have a legal hold upon him. He is to serve for seven years in the Army, and no longer; at the end of which first period he is to join the First Army Reserve for the next seven years, during which period he is to be liable to be called upon to rejoin his regiment if war breaks out; and at the end of that second period he has to join the Second Army Reserve for the last seven years, during which he is to be liable, if necessary, to serve at home, but not abroad—so that any man who enlists in the Army is theoretically a soldier for twenty-one years, but only practically for seven years, until war breaks out, when every Englishman would naturally fight for his country. But whether this be a practicable plan or not, it was clear that it would be preferable to making the first period of a man's service shorter than the second and third, for many a waverer would be deterred from re-enlisting, and he would be discharged at his own request just at the time when, at considerable expense to the country, he had become a trained soldier. He thought the shorter service system would, if adopted and utilized upon the principle which the noble Lord had enunciated, materially assist the object in view, and secure the permanent services, when necessary, of a formidable and reliable body of trained men, who, until required, would be following their civil employments—whatever they might be. Having said so much, he agreed with the noble Lord in the remarks he had made in reference to the ballot for the Militia, which being in a modified form met with his approval; for it became a matter of serious consideration how the ranks of the Militia should be secured against any unforeseen shortcomings on the part of the young and able-bodied in the country—so that, whenever necessity required, there might be no difficulty or delay in recruiting the ranks of the Militia up to its maximum. He agreed with the noble Lord in the view he has taken of putting the ballot in force, a power which is only suspended until it becomes expedient to exert it. He agreed with him especially because of the mild and easy and tentative plan upon which he proposed its application; because, in the first place, no other palatable plan which he saw would gain the desired object at present; and, in the second place, because it seemed to him that the time had arrived—after every idea and scheme that could be devised has been turned over in the minds of more Cabinets than one — to realize a system of expansion and keep it in working order. The time had arrived when the young and able-bodied men throughout the country between twenty and forty should be previously selected by ballot, not to serve, but to be rendered liable to serve in the Militia for a

ven period, and then only in time of
ar, by which means a guarantee would
secured in that quarter which would
nd to avert a position into which the
untry has so often found itself upon
e breaking out of war. He considered
ese various classes of Reserve might,
properly systemized, be a valuable
achinery of expansion for feeding the
nks of the Army when necessary, and
thought the fact of the Army being
der considerable reduction at the pre-
nt time was a double reason why an
my of Reserve should be effectually
ganized without delay. And now,
th respect to the position of not the
ast important branch of the Reserve
rces, namely—the Volunteer service
the noble Lord has expressed his opi-
on so clearly and in such a manner
at he was able to endorse it generally,
d would, therefore, not weary the
ouse by travelling over the same
ound. But he must say, and he would
so with every respect to the right hon.
entleman and the Government, that we
nnot congratulate ourselves as a body
on the encouragement which, after
n years' incessant labour and responsi-
ity, we have received from them; and
thought they had made a great mis-
ke in disregarding the opinions and
lings of commanding officers in this
rvice upon the important question of
pply. Every argument had been
ed by those who ought to know best
at was required, and nothing had
en done in the face of those appeals;
d, what was still more discouraging,
imations had been given by the Se-
tary of State that if more assistance
given, more efficiency would be re-
ired, which was of itself a reflection
at we were not as efficient as we ought
be. He must beg leave to remark that,
the right hon. Gentleman meant that
are to put in more attendance at
lls and parades in the course of the
ar, he never was more in error if he
nks we can get more time out of the
lunteers for drill purposes than we
And if he means that we are not
a sufficient state of organization, he
indeed ungracious, by making, what
Government have not been able to
a *sine quâ non* for our requirements
ng attended to, and upon which our
lth and vigour must for the future
much depend. He would say no
re, except that he felt sure that if our requirements are not paid for, in some shape, by the Government or the country—which is the same thing—in that spirit to which we are by the nature of our position entitled, a very marked difference would be found in the interest and spirit of both commanding officers and members of Rifle Corps throughout the country. And there can be no doubt that if the Government wish to keep up the Volunteer service and improve its condition, the exemption to first-class efficiency serving on juries would have a most valuable effect, and would be a most graceful acknowledgment of the services rendered to the country gratuitously. He trusted the right hon. Gentleman would consider these views in a liberal and co-operative spirit. He hoped that this discussion would be of service to the great and important object in view.

Viscount BURY said, the last three speeches were rather remarkable. A few weeks ago, he should have thought it impossible for any Member of that House to get up and advocate a ballot for the Militia. They had, however, now heard three hon. Members express their approval of the proposal that a modified form of ballot should be advocated. He commended the noble Lord (Lord Elcho) for the courage he had displayed in the treatment of the question, and for having openly avowed opinions which had been long entertained in that House, but which no one had yet dared to assert. He looked upon the Militia as the backbone of our military system, and the development of the Militia as a matter of the most vital importance. It was impossible to produce a Reserve Force, adequate to the requirements of the country, without resorting in some form or other to the ballot. No one could observe with complacency the military position of England at the present moment, looking at the vast, bloated, and over-grown establishments which had sprung up on the other side of the Channel. Far from diminishing, every year added to the numbers which foreign nations could bring into the field, and to the superiority of their equipment, discipline, and organization. Was it so with England? It was well known that at no period of our history had England been able to place 45,000 men in line of battle. Could that, for a moment, compare with the enormous armaments prepared on the other side of the Channel? They had, most of them, read Colonel Baker's able pamphlet on the organization of the Army, in which it would be found that at one of the Duke of Wellington's great battles, a much smaller number than 45,000 British troops were engaged. [Lord ELCHO: There were only 18,000 British infantry at Waterloo.] Wars had more and more a tendency to become short, sharp, and decisive. War would probably come on us in a hurry; and we should be called on to improvise a force in the field to meet our foes. In the Crimea, by vast expenditure, we were kept from reaping the full extent of the disasters which our disgraceful state of unpreparedness would otherwise have called down upon us; but he did not believe, if similar circumstances were to occur again, that even vast expenditure would do all that was necessary to provide at a short notice anything like the organization which would put us upon a level with our enemies. At sea we might be superior to any one Power, but the result of the steam fleets created all over the world and of the armour-plating going on in every direction, was that the Great Powers were almost on a level with regard to the Navy, and though we might be able to compete with one nation, we could not certainly compete with anything like a combination. We must dismiss that from our minds. We had certainly the protection of the sea frontier, and that would give us something like a fortnight's warning; but the fact was, looking to the state of military affairs on the Continent, we were, comparatively speaking, as defenceless and as unprepared as we were at the time of the Crimean War. The country could not look with satisfaction on that patent fact. He was told that the military expenditure of England, during the last two or three years, had been as great as the military expenditure of France and Prussia together. And what had we to show for this? We showed a Militia of no practical use as a feeder to the Line, and a Volunteer Force that had no ostensible connection whatever either with the Line or the Militia; we had yet to organize a commissariat and transport service; and, though there was a department of control which he believed was progressing favourably, yet at present very little was known about it. That state of things ought to be at once put an end to. His right hon. Friend the Secretary of State for War, in his able speech, when bringing forward the Army Estimates, proposed that the numerical strength of the British Army should be diminished, but that the *cadre* should be kept up to a state of thorough efficiency. He quite agreed with him. That was the true policy, although he was not quite clear that he should have parted with a single British soldier. But he would go further, and say the Army, Militia, and Volunteers should be welded into one homogeneous whole, and not remain as three distinct services. With ballot for the Militia, allowing those only to be exempted who would serve in the Line or Volunteers, the *cadre* of all these would be filled, and that without any difficulty. This was the old law—as old as the Anglo-Saxons; and it was the existing law. Let it be put in force, and it would produce an army on a par with that of any nation on the Continent. It was a false notion that the British tax-payer was too cowardly or unpatriotic to sacrifice a little of that independence which was worth nothing to him if he could no keep it against all comers. He was satisfied that if only their leaders would lead them, and would say that for the safety of the country something of that kind should be done, from one end of Great Britain to the other, they would hear but one cry—"Organize us; do what you like with us; only let us stand erect with the self-repect of Englishmen and know that England can still maintain its old position in the world." There had been too great hesitation hitherto He hoped those who followed him would speak out. It was the constant dropping that wore away the stone. He said that when ballot for the Militia was established, it would fill all the three, Army, Militia, and Volunteers for this reason — Of course, when man entered the Militia he must have a small bounty, which should be conditional on his engaging to accompany his regiment wherever it was ordered; it should be the law that the Militia ought not, in time of war, to be asked to volunteer for foreign service the condition of the Militia service shoul be to go wherever they were ordered An additional bounty to those who had entered the force might be necessary

ut that bounty need not be a very large
ne, because the chance of being called
in three, five, or seven years for ser-
ce outside the kingdom would not be
eat. The Army, of course, must be
ady to go to all parts of the world, and
ust have their bounty as at present.
hose who wished to make a profession
arms would go, as now, in very con-
derable numbers into the Line; and
ith all the reforms now in progress we
ould have no difficulty in filling up in
ne of peace the *cadre* of the Line.
hen, with a balloted Militia, exemp-
ons being given only to the Volunteers,
e regiments of the Militia would be
ll; and as the Line regiments would
only perhaps half their strength in
ne of peace, he thought it would be
sirable that there should be large
mps of instruction, something in the
russian style, where military ma-
euvres on a large scale should be un-
rtaken—the *cadres* being filled up from
e ranks of the Militia. He thought a
giment of the Line, Militia, and Volun-
ers should form, as it were, three bat-
lions of the same corps. They should
localized as much as possible, and
structed to act together. This system
ould be carried out through the whole
untry. Every man capable of bearing
ms being obliged either to go into the
litia, the Army, or Volunteers, there
uld be no difficulty, because any one
uld obtain exemption from the Militia
llot by joining the Volunteers; and
ving the Volunteer regiments full,
ey would have sufficient command over
em to place them under somewhat
icter discipline than at present. At
esent it was not a recognized duty on
part of the young men of England
join in the defence of their country,
d they had no sufficient hold over the
lunteers. They had to coax them in
er to get them to attend to their
ties. If the Volunteer force was to
worth anything, it was perfectly
vious that its members must be drilled,
that they must not come out only at
ir own option. They could not force
m now, because they had the option
retiring at the end of fourteen days,
if the personal persuasion exercised
r them by the commanding officer
s not sufficient to bring them out, and
reat dissatisfaction was systematically
ressed at their absence from parade,
regiments would dwindle away, and
the parades would become worse and worse. He was not speaking of the good regiments, for some commanding officers had shown extraordinary tact in keeping up their regiments for the last ten years; but it ought not to depend upon the tact of a commanding officer whether the regiment should be kept together or not. If, instead of allowing a man to go for good and all when he had completed the fourteen days' service, they were to let him know that if he left he would be liable to be balloted for the Militia, that would give them a great additional hold upon him. He did not like to speak against the discipline of the Volunteers, for there was not any body of men more willing to be led and to do what was right, and their discipline, considering the limited opportunities they had for acquiring it, was as good as could be expected; and he must say that he never knew an instance of insubordination during the time he was a commanding officer of Volunteers. Nevertheless, discipline was not mere obedience to orders—it was a peculiar frame of mind produced by habit, and an unreasoning subordination of one's own will to the orders of the superior officer. That was the discipline which Volunteers had not got, because they had not sufficient training. However, if they were associated with the Line, they would very soon acquire the tone of necessary obedience. At present, however, there was no organization for the Volunteers; and it was only by looking upon the three services of the Line, the Militia, and the Volunteers as one whole that a Reserve Force, worthy of this country, could be established.

COLONEL NORTH said, it appeared to be the general opinion of the House that there should be an Army of Reserve, and, therefore, he could not understand what induced the Government to propose in the Army Estimates a reduction of 11,000 men. He thought his noble Friend who had just spoken (Viscount Bury) had explained the really invaluable qualities of a good soldier. It was the disciplined mind which was his great value. Civil and military life were entirely different things, and the soldier had to submit to restraints of which the civilian knew nothing. The disasters of the Crimean War were still remembered, and he feared that if war again broke out to-morrow the country would again be disgraced in the same way. He (Colonel North) trusted that the trained soldier would not be bound to leave the Army at the end of seven years, or ten years, whatever might be the particular period fixed on. The question of re-engaging a soldier he would leave to the commanding officer, because a man, although he might have performed his duty very well, might have been a very troublesome soldier, and therefore it would not be desirable to re-engage him. Two Royal Commissions had reported on this subject, and had pointed out that, as war was carried on in these days, there was no time for repairing the consequences of past neglect, and that the vast interests at stake warranted an increased outlay upon the Army. But such recommendations, valuable as they were thought to be at the time, were soon forgotten. He agreed with the Secretary for War that the best plan, under present circumstances, was to keep the *cadres* of regiments without reducing the regiments. It would be very well to adopt a different course if we had an efficient Reserve, but at present we had only 2,700 men in Reserve, and one general action in time of war would absorb them all.

MR. H. R. BRAND apologized to the House for intruding himself on the present occasion; but he wished to express his thanks to the noble Lord the Member for Haddingtonshire (Lord Elcho) for having introduced a discussion which would be useful to the Army and to the nation at large. He wished the Resolution of the noble Lord had gone further than it did, and stated that it was impossible to maintain the efficiency of the Reserve unless they maintained the efficiency and increased the popularity of the Army. The efficiency of the Army could not be maintained, in his opinion, if the system adopted at the War Office of reducing the number of men composing the Army was to be persevered with; and yet, as economy in the administration of the public services was demanded by the nation, and considering the short period of time which the right hon. Gentleman the Secretary of State for War had had at his command in which to mature his plans, he must confess that the right hon. Gentleman had proposed to carry out the reductions in the Army in such a manner as to impair as little as possible the efficiency of that service. The subject before the House was not so much the necessity of maintaining a Reserve Force, for on that point all parties were agreed—but it resolved itself into two questions. First, from what class of men ought the Army to be recruited, and from what quarter ought they to be obtained? With regard to the first question, he would say that it ought to be composed of men in the full vigour of life, for in time of war the severest services might be required from them, and all statistics proved that in such cases the sickness among the young was trifling as compared with the old. Besides, these men ought to be made amenable to habits of discipline and subordination. Then, with regard to the second question — from what quarter were they to be obtained —he asked, were they to look for them among the Volunteers? Certainly not That was not a force from which to recruit the Army of the Line. The Volunteers were a very useful force, and would prove extremely valuable in case of invasion and for the garrisoning o our forts; but if a Continental war were to break out he did not believe that one in ten of them would care, or indeed would be able to leave his civil career to serve in the Army. Could they, then be produced from the Militia? Hi opinion was that such a course would neither be the best nor the most econo mical. In ordinary circumstances th average number of men received from the Militia into the Army was small and the reason was sufficiently obvious for the duties of the Militia hardly inter fered at all with their ordinary work and their pay during their twenty-on days training was equal to 3*s.* a day These facts sufficiently proved that th greater number of men enlisting in th Militia would not be equally willing t enlist in the Regular Army, besides which it must be borne in mind that recruitin for the Militia interfered with recruitin for the Army. Even, however, if yo were by encouragement to persuade mo to enlist from the Militia into the Lin the advantage to the Army would b doubtful, for it had been stated by of cers of experience that Militiamen seldo made good soldiers. They acquired id habits in the Militia, they brought tho habits into the Army, and they seldo made good soldiers. If a man were join the Regular Army, it would be bett or him and more economical for the ountry that he should do so at once. hen it was said that after a certain eriod of service in the Army, a man hould serve out the remainder of his me in the Militia. It appeared to him hat that course also was unnecessary. f every regiment in the Army were ensted from a district or county, and if a epôt were always quartered in the chief own of the county, it would be reasonble after, say five years' service, to give man unlimited furlough on condition hat he remained liable to serve the tate up to a certain period and mustered t the depôt once a year. If that system ere tried, and if it should be found ccessful then the Militia would be holly unnecessary. He believed that the Army could be rendered a popular ervice the difficulties of the problem ight be solved. Now, what were the auses of the unpopularity of the Army? e would not detain the House by stating ore than two or three. One was the ng period of service; another was the w rate of pay, with its many deducons; and a third was, though he knew here were differences of opinion, the arking of men with the letter "D." e knew it was argued that it was nessary to keep up this punishment in der to deter men from deserting and en re-enlisting to obtain the bounty. ow, he believed that those were just e men who cared the least for the disrace, while the punishment deterred e men whose self-respect rendered em most desirable for soldiers. If the ounty was such a temptation, it would better to abolish it altogether. If the ounty were not given, the men must ave a higher rate of pay, and then aving served for five years they should ave a right to enter into the Reserve, ing bound to enter into the active rvice of the State in case of war. He lieved this would make the Army polar, give them a better class of reuits, and enable them to maintain an ficient Reserve Force. But after these easures were taken another reform ould still be wanting—you must give soldiers of good character and education a chance of obtaining a commission, d you could only do that by making tain modifications in the system of omotion by purchase.

COLONEL GILPIN said, the great object the noble Lord the Member for Haddingtonshire (Lord Elcho) appeared to be to establish the ballot for the Militia. The noble Lord said that if we were a Continental State we would be compelled to have recourse to conscription. As it was he supposed the noble Lord could hardly venture to recommend that system and so he confined himself to the ballot. The noble Lord the Member for Berwick (Viscount Bury) appeared to join with him in that sentiment, and the whole object appeared to be to set a mark against every man's name except the Volunteers. [Viscount BURY: I entirely repudiate that sentiment.] He (Colonel Gilpin) alluded to what the noble Lord (Lord Elcho) said about the ballot for the Militia. With regard to the reductions which the right hon. Gentleman the Secretary of State for War had made, perhaps it would have been more prudent if he and his Friends had not talked so much about economy during the last election, because it bound him to make certain reductions; however, he was quite sure that if the right hon. Gentleman believed any of his reductions would tend to impair the efficiency of the Army he would never have made them. He thought the right hon. Gentleman's reductions were judicious, except that one with regard to the Cavalry regiments, by which he made the squadron the unit of the regiment. He had reduced the second captain of the regiment to the position of a mere subaltern. If instead of reducing the men and officers he had reduced about forty horses that were seldom or never mounted, it would have been much better and more economical. He hoped that the right hon. Gentleman would not, for one moment, listen to the proposal which had been made by the noble Lord the Member for Haddingtonshire to adopt the ballot in the case of the Militia. To do so would be to render the service very unpopular, although it might be very well to keep the ballot in the background. Let the House see what the Militia had done during the Indian Mutiny and the War in the Crimea without any ballot. In the course of the Crimean War we sent about 22,000 regular troops to the Crimea, and during the same time the Militia had given to the Army 30,000 trained soldiers. In the time of the Indian Mutiny much the same thing took place. He held that the constitutional duty of the Militia was to defend our shores in time of war, to garrison our fortresses, and to recruit the Regular troops. The hon. Member for Hertford (Mr. H. R. Brand) said the Army did not get good men from the Militia, that they were of idle habits; but he could tell his hon. Friend that during the Crimean War he sent eighty-six men of his regiment (the Bedford Militia) to the same branch of the service to which his hon. Friend belonged —Her Majesty's Guards. They joined the Grenadier Guards; they went into one company, and he was informed by the adjutant that there was only one black sheep among them. [Mr. H. R. Brand: I was speaking from the evidence given before the Military Commission.] He (Colonel Gilpin) had not read the evidence—he was speaking from facts. It was said that the Militia Reserve had been rather a failure, but it was to be remembered that it had a very recent trial—was only put before the men at their last drill, and was imperfectly understood by them. He had endeavoured to explain it to his own men, but, as he had no official documents he could only do so imperfectly. He suggested that the men ought to be asked to volunteer, not during the training only, but all the year round. He gladly admitted that the right hon. Gentleman had done much for the Militia —he hoped he would do still more, but he trusted he would not give his consent to the adoption of the ballot.

Mr. CARDWELL: I hope it will not be expected of me that I should enter into this discussion in any controversial spirit. I feel the great importance and value of this discussion, and I gladly recognize the spirit in which the noble Lord (Lord Elcho) has brought it forward at a time when it ought to be considered, and he has expressed his own opinions and invited others to express theirs in the most temperate manner. As to the views which he has expressed, I may say that there are many of them in which I not only entirely concur, but with respect to which I think I may appeal to him to bear testimony to the fact that I have already stated my opinion upon them to the House. I agree with my noble Friend in thinking that our Army should be small in times of peace, but capable of expansion, and that our Reserves should be large. I agree with him also in the opinion that our Reserves as Army Reserves, should be connected with the Army as independent of those other Reserves whose principal function it is to act with the Army; that is to say, they should, if possible, be rather furlough men for the Army than men who belong at the same time to the Militia and Army. I therefore agree with my noble Friend in thinking that the true basis of Army reform, as bearing upon this question, is that we should establish a shorter service—that is to say, a long enlistment, of which a portion of the service should be only in the Line, and the remainder in the Reserve. I concur, too, in the opinion that, as far as possible, those men who are to constitute a Reserve for the Army should be trained with the Army, and I think my noble Friend justly described the Militia when he said that they constituted the backbone of our defences as connected on one side with the Army and on the other with the Volunteers. I agree, moreover, with him in the opinion that so delicate a system as the British Army, depending on voluntary recruitment, ought to be dealt with with great caution as well as vigour, and that we must not cease to enlist men under the present system, which has furnished us with a strong and reliable Army, until we have proved a new system for furnishing us with an Army of Reserve, and found how it would answer. I also think with my noble Friend that we should make, as far as we can, our civil patronage subservient to offering greater inducements to men to serve in the Army, and that we should regard no qualification for receiving civil patronage so great as that a man had rendered services to his country in the Army. There are, however, some other points with respect to which I am not so fortunate in agreeing with my noble Friend. He has cautioned me not to express myself too strongly as to the merits of any particular detailed plan, and I admit the wisdom of this caution, because it is, it seems to me, most desirable that the fairest opportunity should be afforded of considering any plan which may be proposed. I may, however, observe that I think twenty-one years will be found to be too long a period for a man to commit himself to at the outset as the period of his military service. Not only must, in my opinion, the service be shorter, but he period of enlistment, otherwise we hall be discouraging a large body of nen from joining our standard whom ve should be glad to attract to it. Then ny noble Friend is rather strongly in avour of pensions, and I cannot help emarking that in the course of this disussion one or two speakers have said hat, if it were not for the question of xpense, the whole matter might be asily settled. Now, I am quite sure he House of Commons will not urge he Minister for War to be regardless of he question of expense. You will be ble to have, what there are in every ther service, two classes—those who go n to become your non-commissioned fficers and your valuable soldiers, the ivots and hinges of your Army, and hose who serve for a shorter period and ass away into Reserves or into civil ife. The former will earn a pension, nd the latter will be no charge upon ou; and I do hope that one effect of he changes which will be made will be hat the large list of pensions will in uture be considerably diminished. I nust say that the plan suggested by ny noble Friend will have great recomnendations for me if, when I come to xamine the figures, I find I can obtain Reserve of 131,000 men for the sum amed. I must say I suspect the figures ill not bear the strict analysis to which hey must be subjected before they can e practically proposed in the shape of stimates.

Then we come to the great question, ne plan which the noble Lord proposes, o resort to the ballot. On that point I ill venture to offer some observations, dicating that I by no means concur in at proposition. The hon. and gallant ember for Oxfordshire (Colonel North) ould not help, in the course of his iendly remarks, giving me a slight ow on account of the reduction we ade in the number of men; but he ould have remembered that, though e have a smaller number of men to be arged upon the Estimates, according the distribution provided by the Estiates we have at home a larger numr of men than we have had in any cent year, and we have a larger number battalions, which is of greater conseence, because, according to the views w generally accepted, a defensive force ght to be counted rather by the numr of battalions that are at home than by the number of men, and instead of a full *cadre* and a small number of battalions we ought to have an expansive force to be supplied by cheap reserves. No hon. Member can attach greater importance to this subject than the Government have done since they came into Office. I conceive it to be a question of cardinal importance; it is not limited to the question of the Militia Reserve, or of the Army Reserve, or of shorter enlistments, although those are important questions, but it comprehends the whole question of the defence of this country, and therefore it comprehends the maintenance of a force which must be powerful enough for those offensive operations which a serious state of war necessarily involves. It comprehends the Navy, fortifications, garrisons, the defence of commercial harbours by new inventions, the railway communications of the country, the supply service for large bodies of men, and the complete organization of all auxiliaries. This is no doubt a very long question, and if we look only to its bearing upon the Army and the Reserve, it is even then a very large question, and one that requires great consideration. About ten years ago there was just the same difficulty with regard to Reserves for the Navy that there is now with regard to Reserves for the Army; and my right hon. Friend opposite (Sir John Pakington), who was then First Lord of the Admiralty, appointed a Commission on which I had the honour to serve. At that time it was the opinion of many authorities that recourse must be had to naval conscription as a means of manning the Navy. If the proverb be true that in the multitude of counsellors there is safety, every day brought out some new pamphlet containing information as to how we ought to man the Navy, just as now papers of great ability tell us how we should man the Army. The Commission was able to bring the suggestions that were offered to a focus, and I had the honour of making a proposal to the Commission. I well remember the difficulty with which at that time it was supposed to be surrounded; but it was adopted by the Government of which the right hon. Gentleman was then a member, it became law, and it has been put in force. At the time of the *Trent* outrage, though the emergency was not one which called upon the men by the conditions of their engagement to serve, they came forward and volunteered to serve. Some of my friends in this neighbourhood have expressed doubts, continually repeated up to now, as to whether the Royal Naval Reserve is a force on which reliance can be placed; but I hope the recent cruise has done something to dispel those doubts, and I trust it is now admitted that the difficulty of finding a Reserve for the Navy is at an end.

With regard to the Army, I hope the result of this debate will not be to give to the world the notion that because we do not maintain such an enormous Army as we regret to see is maintained in other countries on the Continent of Europe—because we are not wasting the strength of our population by employing it in unproductive instead of in productive industry — there is really any difficulty in this country rendering itself secure against attack and the apprehension of attack. When I consider that we have the best possible frontier—the sea; when I consider the defensible size of the country; when I think of the Navy we possess; when I consider how ready the people of this country are, by voluntary enlistment, to furnish adequate supplies of men for every branch of the military service, and when I consider the wealth and the skill which gives us the superiority over other countries in warlike material, I cannot believe that there is the least doubt of our being able to bring those materials into such a focus as to enable us to maintain our position with dignity and comfort. These things are great in their separate excellence; but are they equally admirable in their combination? There, I believe, is the true source of the evil. Hitherto there has been no complete and efficient organization at all. I believe it is our united object so to weld and consolidate every branch of the service—the Regular Army, the Militia, the Volunteers, and the Reserve Forces, that they may be animated by one spirit and directed by one purpose, and constitute together the great defensive force of our common country. My noble Friend proposes conscription. I must really ask him whether I have rightly understood his proposal. I do not understand he wishes us to resort to the ballot of the former war. I understand him to hint at a plan which is to do injury to nobody, and which yet is to be so great a deterrent that everyone will become a Volunteer for fear of being caught by the ballot. It appears to me to be rather a difficult proposition to accomplish this. The first question I ask myself is this — Why should we resort to that which, to the English mind, is not an acceptable proposal? We agreed, in considering the question of the manning of the Navy, that the Queen has a right to the service of every one of her subjects, and yet we did not revert to the old method of impressment for the defence of the country. Surely conscription ought to be our last resource. Surely we shall not have it enforced at the time when recruiting for the Regular Army never was so brisk, when we obtain all the Militiamen Parliament enables us to raise, and when the only reason why the Militia Reserve is not so full is that we have so strictly enforced conditions that a number of those who offered themselves have been rejected. As to the Volunteers, it would be an indignity and an injustice to them to say that they require any measure of this kind in order to strengthen and increase their number. What is the case? They complain that the capitation grant is inadequate—that they are giving not only their time and services, but are also compelled to give their money, to the service of the country. Even under this state of things, has there been any decrease in the number of Volunteers? Has there not, on the contrary, been a large and continuous increase? If you can recruit the Army by voluntary enlistment—if you can recruit the Militia by the same means—if the Yeomanry are full and the Volunteers are increasing, why should you talk of bringing into use that weapon which is regarded by every one as the last resort, and it has always been the great boast of England that she has never been compelled to have recourse to it? The noble Lord quoted the opinion expressed by Sir James Graham in 1860, to the effect that the regulation with regard to the ballot ought to be made more perfect in times of peace. I do not know whether my noble Friend is aware that in August, 1860, this House passed an Act to amend the laws relating to the ballot for the Militia. I quite agree that the law on that subject, as on all subjects, should be amended if it happens to be imperfect; but I do not think the remark of Sir James Graham applies to the Act of which I speak, and I am certainly not prepared to give any encouragement to the idea that the Government has any intention, under the present circumstances, to have recourse to any coercive process to enlist the Army. Our system of recruiting is a bounty system, and it appears to me that it may fairly be likened to that system of which we have heard so much in physics —the system of natural selection. It appeals to all the different classes of the community. Those who have a military spirit and desire to devote their lives thoroughly to the service of their country are induced to enter the Regular Army; the gentlemen of the country are invited to be officers, and they come forward gallantly to officer each of the Reserved forces. Many hon. Gentlemen whom I see opposite are conspicuous for exerting themselves as commanding officers of Militia regiments; and the Yeomanry and Volunteers are officered from the same class. When you come to the rank and file you find the agricultural labourer n the Militia, the farmer and farm servant in the Yeomanry; and as to the Volunteers, I believe I am accurate in aying that the large increase in the umbers which has lately occurred has een concurrent with a change in the lasses who have joined that Force. I elieve it has become much more general, nd, as an hon. Friend of mine (Mr. Akroyd) stated earlier in the debate, rtizans who cannot conveniently give heir time for several weeks together, ut are still desirous of joining in the efence of the country, willingly give heir time in the evenings to become fficient members of the Volunteer Force. f you thus combine the agricultural and he urban classes by voluntary enlistent, surely there can be no reason to esort to any coercive process which, in he Great War, was found to be so ex-edingly injurious, that before the close the war it had to be given up?

Now, the question we really have to nsider is—What shall the Reserves e? because I think we do not suffi-ently distinguish between the two ob-cts for which you want a Reserve. You ant a Reserve to supply the wants of e Regular Army, and you want a Re-rve to act with the Army. I hope, r, in paying respect to every branch of e Reserves we shall not fall into the mistake of disparaging for one moment the importance of the Regular Army. Depend upon it, in speaking of Reserves you ought to bear in mind that they are Reserves of which you are speaking, and that the thing to which they are Reserves must, after all, be your chief care. I dare say every hon. Member who hears me will remember a striking passage in that remarkable chapter by Adam Smith on the division of labour in which he refers to the division of labour in military service. He says, if division of labour is necessary for the successful prosecution of any other art, it is not less necessary in that which is the noblest and most complicated of them all, the Army; and almost, as it were, with a prescience of what is going on in our day, he speaks of the multiplication of inventions, and the expense of carrying them out, as tending to the necessity for the application of a separate profession to the use of arms. He goes on to say that in ordinary occupations you may rely upon the prudence of the individual to accomplish this object, but it is only the wisdom of the State which can insure it in the military art; and he says some States have not the wisdom when experience shows them they have the necessity. He illustrates his point by saying that the history of the world has been the history of the destruction of less-trained armies by better-trained armies; that Greece and Persia were subjugated to Macedon by the well-trained armies of Philip and Alexander; and the wars of Rome and Carthage, and the wars of the later Roman Empire, all illustrate the same principle. I therefore repeat, in accordance with this doctrine, that, whatever we do with regard to the Reserves, we should always bear in mind that the most efficient state of the Regular Army is, after all, the first point to aim at in military organization. That being so, what do we require for our Reserves? I have already shown you that the Militia is easily recruited, the Yeomanry is full, the Volunteers are increasing. Each of these forces requires separate consideration; but, speaking generally, there is a body of men whom at present we have not attracted to our standard. Now, Sir, for the purpose of obtaining a Reserve for your weak battalions—for the purpose of attracting to the military service a class of men who are now discouraged from joining it by the length of the period for which they are obliged to serve if they enlist, and for the purpose of diminishing that barrier which now exists, and which makes too broad a separation between the military forces and the other classes of society—it would be a very great point gained if a system could be introduced combining enlistment for a longer period with actual service for a shorter period than at present. This would give us men who are willing to place themselves at the disposal of the State for a long period, and be available for Reserves during such part of the time as they were not on actual service at home or abroad. But it would not be necessary to train them with the Militia when they had completed their short period of service, because they would be more perfectly trained than the Militia at the time they retired into the Reserve; it would probably not be necessary to impose upon them the duty of an attendance more onerous in its character than that now imposed on the Volunteers, because the necessities of the case would be complied with if the men were brought up sufficiently often to prevent their forgetting what they had learnt when serving in the Regular Army. In considering this question we naturally turn to examples furnished by other countries, and our attention is particularly directed to France and Prussia. In France we find that after five years' service in the Regular Army the young man expects to return to his native home and devote himself for the rest of his life to civil pursuits; in Prussia the period is even less, it is not more than three years. In the case of Prussia, however, we are met with the fact that conscription is in force, and that they have no Army abroad; while in our case we have only attraction, instead of conscription, and, in addition to this, we have the repellent influence arising from the fact that the Army may be sent at any moment to distant portions of the world. With these difficulties in our way, we are engaged in a problem which, although not insoluble, is evidently very difficult, and demands most careful consideration before a successful issue can be hoped for.

The first great practical question is this—Are we to have a separate enlistment for India, or are we to make the time of service the basis for the arrangement of a shorter service in the Army? There are two great authorities who recommend a separate enlistment for India, and who say that there should be one body of men enlisted on the ordinary condition for the British Army, and another to serve in India. Now, let me recommend to those who advocate that course the consideration of the following propositions:—First, to enlist a separate army for India would be a complete reversal of a policy which you have recently and deliberately adopted. In the second place, it would be to establish what you never yet had—not an army for India under the Company, but an army of the Queen separate from the Regular Army. Besides, medical statistics, and the experience of every one who knows India, come to this—that for an ordinary constitution five years' service in such a climate is a sufficient time. I do not say, and I do not mean, that there may not be many men whom the climate suits very well, whom it would be convenient to re-engage, and who might be willing to re-engage, and might go on for a longer period than five years; but I do say I believe it to be an established fact that, for the ordinary constitution of the British soldier, five years' service in India is quite sufficient. Then, in the third place, men so recruited would be very apt to become what is commonly called a caste—to lose their general sympathies with what they had left behind them at home, and to acquire exclusively sympathies with the service to which they had devoted their lives. That appears to me of all feelings in the world the least we ought to encourage in the Army, the most unfavourable to discipline and to loyalty. But then I wish to know why we should deny to the British soldier the benefit of that experience which five years of Indian service gives. Let us hope we shall always have tranquillity in the main in India, as well as peace at home; but, even if we are so fortunate, everybody knows that service in India is a much nearer approach to war than service within the four seas of England, and that it is very valuable to the soldier to see the preparations for military operations which he sees in India. I think, therefore, that it is very well worthy of consideration whether we should lose that advantage to the British soldier, But, above all, I should object that the Queen should have any soldier or sailor whose services she could not command in any time of need. That there should be no limit to a soldier's service in time I hold to be wrong, that there should be a limit in place I venture to think altogether objectionable. Now, it seems to me of the greatest importance to consider these three points before you determine upon a separate enlistment for an army in India. Well, then, if that be so, you come to this—that the first great question with which you have to deal in arranging the period of your shorter service is to ascertain that it is sufficiently long for the reliefs to India. Upon that subject I have long been, and still am, in communication with the Indian Government, and what I will now state is this—that I confidently hope to be able to propose a period of service for the Army as short as the period which my noble Friend has pointed to which shall be consistent with Indian service, and also that the Indian service should be such as to be consistent with a shorter service in those regiments which may from time to time have to return. I am not inclined to say more on this subject, nor do I think the House will be inclined to press me to make a statement of plans more confidently, more rapidly, and more hastily than I have been able to mature and see my way to. All I can is that, from the first hour we entered upon Office, so far as my abilities have served me, we have lost no time and no opportunity in promoting this object. I have been in constant communication with His Royal Highness the Field Marshal Commanding-in-Chief, with my right hon. Friend the First Lord of the Admiralty, and others upon the subject, and I confidently hope that during the Recess Her Majesty's Government collectively may have before them a plan which they may be able to consider and adopt, and that by the opening of the next Session of Parliament I may have the honour to propose it to the House. Beyond that I am not prepared to say anything, and the time is not ripe, and I do not wish, to make hasty statements, and to come to precipitate conclusions on questions of this extreme importance. Anxious as I am for shorter service, believing as I do that shorter service is really at the root of all Army reform, nevertheless, I am as conscious as anybody can be of the immense importance of retaining in your Army that most valuable member of it —the old soldier. There is in Prussia, I believe, less desire to encourage him than there used to be. The desire there, I believe, is to encourage the re-engagement of non-commissioned officers only; so I am informed. In France, on the contrary, in the time of the First Napoleon, there was the greatest possible desire to carry on, for a long period, the service of the soldier. But that desire in France is not now so great, I am told. The old soldier, in the language of the Duke of Wellington, "was the heart and soul, and courage, and strength of the regiments." But, he said, combined with the young soldier, the two together would achieve any conquest. I believe that the true principle is to have a just admixture of the old soldier and the recruit, and we are seeking to attain such an admixture as will constitute the most efficient Army we can have. To the old soldier we may apply the words that were used with regard to Banquo—

> "'Tis much he dares,
> And, to that dauntless temper of his mind,
> He hath a wisdom that doth guide his valour."

I think it would be indeed a suicidal policy if, in the pursuit of what I believe to be so great an advantage—shorter service—we were to omit to preserve to the British Army what has always been its proud characteristic — namely, the confidence which a man has in the man who stands beside him, and which gives our soldiers that solidity for which they are proverbial among the nations of the earth. I believe if, by introducing too large a proportion of new soldiers you omit to recognise the superior qualities of the old, you may commit a grave and serious mistake; but, having so guarded myself, my desire and that of the Government will be to endeavour to make the new period of service as short as we can consistently with general efficiency and economy in the service. But that is not the only subject that has attracted our attention. This great subject divides itself into many branches, and the successful conclusion of it must embrace and comprehend them all. The first point is that we should divide the country into manageable districts, within each of which there may be a staff ready to take in hand at a moment of emergency, not merely the Regular Army, but the Regular Army combined with the Militia, the

Yeomanry, and the Volunteers; in short, every force that receives the payment of the House of Commons, and enjoys the commission of its Sovereign. There must also be an improvement in each Reserve separately.

With regard to the Militia, I am much indebted to my hon. Friend opposite (Colonel Gilpin) who says that we have done something already, and we shall be glad, I am sure, if other things are pointed out to us, to act in the same spirit. What we have done at present is this—we have taken power to place the Militia under general officers, and have largely, in comparison with what has been done in former times, brigaded them with the Army during the present year. The time, however, has been short, and the arrangements have not been complete; the early period at which Whitsuntide fell this year has rather interfered. We have, however, done something to brigade the Militia and the Regular Army together, and in future we shall do more. We desire to improve the position of the officers in the Militia, and to establish some efficient rules with respect to their appointment, promotion, and education. We have the greatest desire to preserve and even to increase and intensify the local feeling which animates the men. We have not the smallest wish to take away from any of the local authorities or local gentlemen any share —if there be such—of patronage or influence; but, on the other hand, we feel assured that no Lord Lieutenant, and no country gentleman would wish that we should be debarred from laying down the strictest rules. For instance, I may just notice, in passing, that we have recently known more clearly, perhaps, than before — but I believe that our predecessors knew it also— that there has been a system of purchase in this Reserve Force. [Lord Elcho: With regard to adjutancies.] I had them in my mind. Well, if by increased strictness of rule we can prevent a manifest abuse of that kind, I trust no feeling of local patronage would interfere. Then the examination and education of Militia officers are questions that will and do engage our attention. But as the Commission upon the Education of Officers in the Army is just now about to report, it would naturally be desirable that we should wait to see what the Commissioners recommend for the Army before we proceed to lay down rules for the Militia.

Then there is a very difficult subject which I am almost afraid to name, but I am considering, as well as I can, what is to go on in reference to the billeting of the Militia. I hope I may not be understood as entering into any engagement about the matter, because I am not in a state of information which would justify me in doing so; but this I say, that I am making the best inquiry I can into the subject, and shall endeavour to deal with it to the best of my power for the purpose of getting rid, as far as practicable, of the evils connected with it. Then, with regard to giving better arms to the Militia, the limited means at my disposal have not enabled me to do much; and I see opposite a gallant and distinguished Militia Officer (Major Walker), who would have been glad if I had distributed breech-loaders more generally to that force. But still I think I have shown him that, considering the limited number at our disposal, we have been desirous to go as far as we could in that direction. With respect to the Yeomanry, about which an hon. Friend of mine (Sir Henry Hoare) proposes to raise a controversy, all I can say at present is this—that the Yeomanry are armed with the worst possible weapon — a weapon which is entirely useless, and which, looking at the modern state of things, I might almost term ridiculous. I suppose, however, that it is not their fault, but rather ours. Well, I have given directions that this may be remedied as speedily as possible. The Yeomanry are not likely, in my opinion, to take the field as a regular cavalry against an invading enemy. But when you consider the exceeding smallness of your present cavalry force, when you consider the number of outpost duties and escorts which must be provided for if you mean to have such a force at all, it is quite clear that your present amount of regular cavalry is not sufficient for all those purposes. It is equally clear that those duties must be scattered over a very large surface of the country; that, in short, every part of the country must be prepared with its own means of escort and outpost service. It is also quite clear that those who would perform such service most efficiently are those who are well acquainted with the highways and byways of the country, and aware of the means of accomplishing it most quickly and successfully. With regard to actual conflict, I think it will be the opinion of everybody who knows the force that it would be more useful as mounted riflemen than as cavalry, and as mounted riflemen I believe that many of the Yeomanry would prove very efficient. They are the only surviving portion of the old Volunteer Force; and I hope that, in examining the whole of our Reserve Force in concert with the distinguished men by whom the Yeomanry are commanded, we may be able to make them not only efficient mounted riflemen, but efficient cavalry for the purposes to which I have just referred—namely, for escorts, outpost duty, and so forth.

Now I come to the Force in which my noble Friend is so honourably distinguished—the Volunteers. What I hope we shall succeed in doing in regard to them is this:—I assure my noble Friend that I have no desire in any way to contradict the opinions expressed by him, and, as I understand, by those high authorities, General M'Murdo and Colonel Erskine, as to putting the Volunteers in time of peace under obligations essentially onerous, and likely to deter them from remaining connected with the Force. But the noble Lord the Member for Berwick (Viscount Bury), I believe, said there is no organization of the Volunteers. I am not sure that I should have been able to go quite as far as that; but, as the noble Lord himself has said it, I shall accept the statement. I quite concur in everything that has been said in praise of the Volunteers, and I do not say this now for the first time. I have felt it warmly ever since the original institution of the Force, and at that period I expressed a hope that it would not be limited—as it was then, when no capitation grant was made to the Force—to the higher classes of society. I then felt sure that the time must come when it would include, and be recruited from, every portion of the community. I am extremely glad to see that day has arrived. But I must repeat that there are four conditions to be fulfilled in regard to the Volunteers which I ventured to lay down once before—namely, there must not be in any one district more corps than are wanted; there must be a greater proportion of what are called "extra efficients" to the whole body of Volunteers; there must be some organization by which we can know that the officers are not merely respected for their agreeable and social qualities, but that they possess some peculiar fitness for the commands which they hold; and, lastly, if we are asked to propose an additional Vote, we ought to be able to satisfy Parliament that the additional Vote we propose has in itself a direct tendency to promote efficiency. I will not now enter at greater length into that part of the case, because, as my noble Friend has stated, he has received a circular which has been issued from the War Office. That circular is only part of an examination which is going on there to see what the real state of the case is as to the necessary expenditure of the Volunteers; and when next month arrives, bringing with it the great event at Wimbledon, I hope, with the assistance of my noble Friend and other leaders of the Force who may meet me in the Recess, to be able to establish rules which will be reasonable and right for the public on the one side, and not unacceptable to the Volunteers on the other.

In regard to the Pensioners—in describing whose appearance one might fancy that my noble Friend had old Edie Ochiltree in his eye—I would take leave to mention an anecdote. Happening myself to be at Plymouth the other day, the general officer commanding there told me he was going to inspect the Pensioners on the next morning, and asked me whether I should like to see them. Early next morning I walked to the ground and found Sir Charles Staveley inspecting some 400 of the Pensioners. They were covered with medals, and were as upright, and, as far as I could judge, as young as my noble Friend or myself. They were provided with breech-loaders which they had just received; and Sir Charles Staveley remarked to me that a force more admirably calculated for the defence of those great works at Plymouth—by which we were surrounded—it was impossible to imagine. I do not know whether they or my noble Friend, or myself, could go through all the hardships of a campaign. On that I do not profess to give an opinion; but I do believe that, as a Reserve for the defence of this country, you have in those Pensioners as admirable a force as you could desire.

Another very important point which I

must notice is this:—If you are to have this organization, and to have it distributed through manageable districts, you must have not only the men, but the requisite Staff. Now, I cannot come down and ask the House to give money for an increased Staff unless I can present a satisfactory account of the Staff which already exists; and when I say that we have now in the War Department a Staff for the Militia, a Staff for the Yeomanry, a Staff for the Volunteers, a Staff for the Pensioners, and a Staff for the Recruiting, I cannot help asking myself— Is it not possible, by some re-arrangement and re-distribution, to effect some economy that would be useful? Well, we are also engaged on that task—of course, no simple or easy one. By these various means—and I must say that we are receiving the greatest assistance from His Royal Highness the Field Marshal Commanding-in-Chief—we hope to bring these measures into a form in which they can best undergo the collective consideration of the Government and be afterwards submitted to Parliament. I trust that when finished they will fulfil the conditions which Sir John Burgoyne laid down in a recent letter, and which I venture to say I anticipated in my speech introducing the Estimates—namely, that we should have in time of peace a small Army, but one capable of expansion, and a Reserve Force at once large and ready to be added to the Army in time of war.

In conclusion, let me briefly recapitulate what these arrangements involve. They involve, first, a larger number of battalions at home; next, that the *cadres* of regiments should be retained with reduced numbers; that there should be proper Reserves to fill up the regiments when needed; that the position of officers of the Militia should be improved; that there should be proper rules for their appointment and education; that the quotas of the Militia should be revised, and that the force should be trained in a greater degree by Army officers. Then there is the proposal for brigading the Volunteers and Militia with the Army. We also intend to revise the Yeomanry so as to make it effective, to re-organize the Volunteer Force, and to redivide the country into manageable districts, in order that there may be a system of military drill and discipline throughout all the services into which the Force is to be divided. Then the Staffs to which I have referred will require to be re-arranged, and we shall have to propose a shorter term of enlistment. Lastly, we shall have to make new arrangements respecting the supply services. If this task is to be done in such a manner that the result will be an Army available not only for home but also for foreign service, and if it is to be done with reasonable regard to the demands which we shall have to make in future years upon the liberality of Parliament, I trust I have shown it is one which cannot be thrown off in an easy manner in the course of a few days or weeks; but, on the contrary, one which is deserving of the gravest and most laborious attention, and which requires the utmost exertions before it can be put into form, so as to be fit to be presented to the House. I only hope the result may be that the forces this country possesses will become so compacted and united, that whoever may be responsible, when any emergency arises, for the home defence of the country will be able to bring the whole Force at once into a state of activity. If my noble Friend will excuse me, I shall decline to follow him into those points concerning foreign affairs which he touched upon in his peroration; but I may say that I cordially and entirely sympathize with the opinion he expressed —that in time of emergency we ought to be ready to act with vigour, and that in time of peace we ought to be able to enjoy, with security and dignity, the blessings of peace.

Colonel WILSON-PATTEN said, it was not his intention to follow his right hon. Friend the Secretary of State for War through the main topics on which he had dwelt in the course of his speech. He would confine his observations almost entirely to that branch of the service with which he was most intimately acquainted—the Militia. Though he did not agree in all points with the right hon. Gentleman, he had listened to his speech with great pleasure. He was sure that the House and the country would be glad to hear that the right hon. Gentleman was prepared to go into the whole question raised by the noble Lord the Member for Haddingtonshire (Lord Elcho), in order to attain the object they all had in view—the establishment of a powerful Army and Reserve. He thanked the noble Lord for having brought the question forward, although he could not say that he agreed either with the noble Lord or with the noble Lord the Member for Berwick (Viscount Bury) in the disparaging estimate they had formed of the country's defences. He certainly could not agree with the noble Lord the Member for Haddingtonshire, that the country was now in as undefended a state as it was during the time of the Crimean War. The Army generally was, in all its branches, in a more efficient state than it was in the time of the Crimean War. The same remark was applicable to the Militia. Both noble Lords seemed to ignore the fact that we had now a force of 160,000 Volunteers, which was not then the case, and he regretted that they should give it to be understood by the public that they took that view of our defences which they had expressed that evening. The subject which the noble Lord the Member for Haddingtonshire had brought forward was, he at the same time admitted, one which was deserving the best attention of the Government and of Parliament. A great deal might, he thought, be done to render the Militia more efficient, and he should like to know whether the Government intended to give up that part of the Army Reserve drawn from the Militia, as recommended by General Peel. He should regret that any such step as that should be taken, for whatever merits a strictly defined Army Reserve might possess, a force of 25,000 men drawn from the Militia at the small annual cost of £25,000 was very valuable, and he did not think it would be easy to secure the services of an equal number of men at so cheap a rate. He would, in the next place, suggest that the reason why the Reserve from the Militia had not been found to be so large as might have been expected was due to one or two causes which his right hon. Friend might find it possible to remove. When the men came to look at the terms of enlistment they found that some of them were such as to discourage them from joining the Reserve, and to render their enlistment liable to abuse. He alluded especially to the regulations under which men were prevented from getting married. Some of the finest men whom he had seen come forward to enrol themselves in the Reserve had been rejected on the ground that they had got wives, while the services of every man who was not married at the time of his enlistment, but who married within a year from that time, were lost. Now, that he looked upon as an impolitic regulation. What an Army of Reserve meant was an Army that would not be called upon except in times of war; and when a crisis of that nature arose it certainly was not the custom to refuse to enlist men simply because they were married. Were this principle carried out some of the best men who could be obtained would be rejected. He was persuaded that if the restriction with respect to marriage were removed, the enlistment for the Army of Reserve would receive a great impetus. The Secretary of State for War had calculated a good deal upon what was to result from the introduction of the ballot. He (Colonel Wilson-Patten) was entirely opposed, with his hon. and gallant Friend the Member for Bedfordshire (Colonel Gilpin), to its introduction into our Militia, as suggested. That force was kept up by means of volunteering, and he could not see how the ballot method could be adopted successfully. Those who advocated this change seemed to have forgotten what was the effect of the ballot during the late general war. Towards the close of that contest, an universal remonstrance was made against the system by almost every general officer in the kingdom, and it was finally abandoned on account of its proving so detrimental to recruiting for the general Army. His own opinion was, that no system could be devised which would be so unfair, so unsatisfactory, and, he might even add, so iniquitous. In some cases it was immaterial whether men entered the Militia or not, but in others it was positive ruin to men to be obliged to go out for a month's training in the course of the year. They were obliged to give up occupations on which their livelihood depended. If the service of the country required the ballot, of course it ought to be adopted, because everything must give way to the service of the country; but he could not understand why the ballot system should be thought necessary when the requisite number of men were now secured by the voluntary system. An objection had been raised to the process of filtering, as it were, the men through the Militia into the Regular Army. He might refer to his own experience upon the point. At the time of the Crimean War he had the honour of commanding a Militia regiment, and at that time the theory of his right hon. Friend was strongly in vogue—that the Militia should be kept intact; but it could not be acted upon. When recruits were wanted for the Regular Army, and they could not be found elsewhere, an onslaught was made upon the Militia regiments, which were decimated and left in a very inefficient state. True, 35,000 men were in that way furnished to the Army; but that, with one or two untoward circumstances, had the effect of rendering the Militia for a time inadequate for its purpose. He was anxious that in future the Militia should be prepared for a similar emergency; he desired that those who served in that force should know what was expected of them, so that there might not be a repetition of the onslaught to which he had alluded. He believed that much might be done by a relaxation of some of the regulations by which recruiting for the Army Reserve was now restricted. No doubt the new regulations which his right hon. Friend the Secretary for War had already made would be beneficial to the officers of Militia regiments, and he tendered his thanks to his right hon. Friend; but he thought that more might be done in that way, and he hoped the subject would continue to engage his right hon. Friend's attention. The Militia regiments were generally officered by the sons of the principal resident country gentlemen; but very often those young gentlemen did not reside in the county to which their regiments belonged, but in counties at perhaps the other end of England. To join their regiments was often attended with heavy expense. He thought, therefore, that it might be well to allow Militia officers something in the way of travelling expenses from their *bonâ fide* residences when they were obliged to travel distances in the discharge of their duty. Then, with regard to adjutants, he might suggest that the retiring pensions were so small as not to be an inducement to those officers to retire, even when it was very desirable that they should do so. Many of them could not afford to retire on the pension now allowed to them. He thought it would be desirable to give the present adjutants a larger retiring pension. The existing scale might be continued for adjutants joining hereafter, who might be appointed with a limitation as to length of service. The sale of adjutantcies which was now carried on must be detrimental to the efficiency of the regiments. Before sitting down he wished to make a few remarks upon a point relating to the general Army. He had had the honour of serving on the Army Recruiting Commission, and he knew that the evidence taken by it showed that the system of short service in the Army was beneficial. It made the Army more popular with the class from which recruits were had; but he ventured to warn his right hon. Friend against going too far in that direction. It was stated, and stated truly, that a great body of the Prussian troops engaged at the battle of Sadowa were men of only three or four years' standing; but it must be remembered that the Prussian Army was raised by conscription, so that in Prussia there was a very wide area from which to take troops. No doubt this was a particularly favourable season for recruiting, and he was glad his right hon. Friend had taken advantage of it to get rid of men of bad character; but, taking one season with another, he did not believe the area from which we got recruits for the Army would be sufficient to supply us with the requisite number of men if we made the service too short. We must recruit our Army out of a small portion of the community, and, therefore, if we made the service too short we should find it difficult to keep up an Army of 150,000. He had heard the speech of his right hon. Friend with much pleasure, and though hon. Members might differ from him (Mr. Cardwell) in respect of some parts of it, he believed general satisfaction would be experienced by the House at the earnestness displayed by his right hon. Friend.

MR. T. HUGHES said, he had for some years been of opinion that the ballot system would work well in establishing a good Army of Reserve. He had taken considerable pains to ascertain what the opinions were of those classes to whom the proposed ballot would principally apply, and he had come to the conclusion that the system would not be objectionable to those persons. At the present moment there might be no need for the ballot system; but it was quite impossible for anybody to come to any other conclusion than that when the present depression of trade wore off, and the industry of the country recovered its tone, industrial pursuits more lucrative than service in the Army would have the effect of keeping men from enlisting. Indeed, his belief was that they could not keep up the necessary number of soldiers without establishing some such arrangement as that suggested by the noble Lord who introduced the question. He thought the proposal of the noble Lord very good and moderate, and he did not think it would at all prove unpopular. He believed that the dread of the ballot had been entirely removed, and that no ill-feeling against the service would be produced by the introduction of the system. An important element in connection with the question was the spirit which had been introduced by the development of rifle shooting as a national sport. He thought that this practice put a power in the hands of every Secretary of State which was capable of being worked well, but which had never as yet been properly appreciated. If he had understood the proposals of the noble Lord correctly, it was not intended to introduce into the services anything in the nature of compulsion. Every man might choose his own service, while the principle would be distinctly recognized that he was bound to serve in some way, and to make himself competent to serve. For instance, men could, if they liked, escape the ballot by becoming efficient Volunteers. The ballot would consequently have a good effect on the Volunteer service. Complaints had been made of the want of discipline among Volunteer corps. The great remedy for that want of discipline was the weapon of dismissal. If they succeeded in making dismissal a penalty they would soon improve the efficiency of the men and increase their number. When efficient service in the Volunteer Force would free a man from the ballot, an inducement would be offered that would have the effect of materially improving the effective force of the Volunteer service. With respect to the Capitation Grant to the Volunteers which had been referred to, it seemed to him that the present system was calculated to produce bad effects. As long as a commanding officer received £1 a head simply for every man he brought into the ranks, the proper discipline of the Force was out of the question, and the Force would not work satisfactorily. Inefficient and rich officers would simply keep up numbers by excessive expenditure. He would recommend that, in place of increasing the Capitation Grant, the commanding officers should be required to give in a certified account of the sums expended on head-quarters, ranges, travelling expenses, care of arms, and, perhaps, also bands; and that the Government should repay the exact disbursements under those heads. The charge for butts, in particular, was found by the London corps to be exceedingly onerous; and he thought it would be good policy on the part of the Government to provide two or three large ranges for the metropolis, to which none but members of the military services should be allowed access. He could not sit down without joining with the right hon. Gentleman who preceded him in thanking the noble Lord who had introduced the subject, and expressing the pleasure with which he had listened to much of the speech of the Secretary of State for War, and the statements he had made respecting the intention of the Government.

COLONEL LOYD LINDSAY said, he regretted he had not had an opportunity of addressing the House upon this subject at an earlier period of the debate. Representing as he did a corps which the noble Lord the Member for Haddingtonshire (Lord Elcho) had described as being the most distinguished, and which was certainly the most ancient, corps of the Reserve forces of this country, he felt bound to address a few observations to the House before the subject was disposed of. His corps was formed even before the days of Henry VIII.; it took part under arms against the Spanish Armada, it was reviewed by Queen Elizabeth, it took part in the civil wars, and had numbered among its officers Prince Rupert, Prince Charles, and many other renowned military captains, and even down to the present day it furnished an admirably efficient force of horse, foot, and artillery, without costing the State a single farthing—it was to the Honourable Artillery Company of London that he was referring. The question raised by the noble Lord the Member for Haddingtonshire turned very much on the subject of enlistment. He agreed with the hon. Gentleman who had just sat down, and with hon. Members who had spoken previously, that the popularity of enlistment by ballot had gained ground very much in this country. It was no longer considered the hardship that it once was. When men could take their turn in the Volunteer service, and by that means become exempt from the Militia ballot, the hardship had to a great extent diminished. It was said to be a hardship to the humbler class. But it appeared to him that the whole burden of maintaining the Militia fell on them, and surely it would be no grievance to that class to say that other portions of the community should also take their share in the defence of the country. People were not asked to go out of this country, but only to take on themselves the duty of obtaining a knowledge of the use of arms, so that if the kingdom were attacked they might be able to fight in its defence. Though the Law of Ballot was on the statute book, yet it had been so long hung up that it was become quite rusty; and when they wanted to use it they would find they could not draw the sword from the scabbard, and if they kept it on the statute book they should use it. There was no more hardship in balloting a man to learn the use of arms to defend his country than there was in compelling a man to educate his children, as many hon. Gentlemen were now prepared to do. Besides, it was the only way in which we could diminish the great expense that was so constantly complained of. Constant wails about expense were entirely out of place. We must either make the ballot compulsory, or pay a proper sum to those who undertook the defence of the country. It was idle to compare the cost of foreign with that of English soldiers, because, as everyone knew, in France, Prussia, and even in Switzerland, soldiers were enlisted by ballot. It was useless, therefore, to say that the English soldier cost £100, while the French soldier cost only £40; the conditions were so different. It appeared to him that there was not sufficient military character about the Militia. Its ranks were no doubt filled with soldiers; but commissioned officers were not to be had for it. He should be glad to see the Militia made a real Reserve, and its regiments constituted as second battalions of the regiments of the Line. If they looked into the *Army List* they would find every regiment was named after a county from which it was originally enlisted, but now the regiments had no connection with the counties. He had looked out in the *Army List* for battalions of the Line which bore the names of the following counties:—Oxfordshire, Berkshire, Bucks, Northamptonshire, Warwickshire, Leicestershire, and Rutlandshire. He had selected these counties because they lay geographically contiguous and had railway communication which intersected them. These counties had regiments of Militia and Volunteers. Oxfordshire had about 800 Volunteers and 1,000 Militia; Berkshire about the same number; Bucks, 400 Volunteers and 700 Militia, and so on, making altogether a force of 11,500 Volunteers and Militia. Why should not the regiments of the Line which were named after these counties be associated with their regiments of Militia and Volunteers? Take, for example, the 66th Regiment. It bore the name of the Berkshire Regiment of the Line. Its depôt was at the Curragh at present. Take, again, the 48th Northamptonshire Regiment. Its depôt was at Colchester. It should be at Northampton, where there are admirable barracks, and where they would be very welcome. Why should not the Militia of Northampton be a second battalion and recruiting battalion to this 48th Regiment? He believed they were to have sixty-one regiments at home, and it would be well to let the Line regiments go to the counties from which they were named, and have between them and the Militia regiments belonging to those counties a mutual interchange of officers. It would be well to have the adjutants of Militia and Volunteer regiments appointed from the Line regiments named from the counties to which the Militia and Volunteers belong. Their quartermasters should also be chosen from the Line regiments. The Staff serjeants of the Militia were not so serviceable a body as they ought to be. For eleven months of the year they had nothing to do, and for one month they were very much overworked; and it would be much better for them that they should be "brushed up" occasionally by being sent back to the Line. The Staff of the Militia cost, he believed, something like £220,000 a year, and yet they were employed only one month of the year; the rest of the year they were doing nothing, or harm to themselves. He should be glad to see the Line regiments sending down a number of young sergeants to drill the Militia. If they would make the Militia second battalions and recruiting battalions for the Line, which would be an easy thing to do, they could have a more efficient staff of sergeants than they had at present to drill their Militia. The counties he had named were situated in a group, and he was glad to hear the right hon. Gentlemen announce his intention to re-organize the military districts, in order that greater facilities might be given for the organization of the Reserved Forces. A letter had been read from the General in command of the Manchester district, stating that he had a large force under his command, but that if he wanted suddenly to call it out, he had no organization to enable him to do so. The system ought to be so arranged that at the first whisper of alarm every man belonging to every regiment should be able to go to his appointed post like a ship's crew when beat to quarters. The recruiting for the Militia should be of a very simple character, and he entirely disagreed with the plan of giving men two bounties for doing something which it was impossible they could do. They could not be both Militia and Army men. We had at present a miserable Reserve, and it would be found to be unsatisfactory the moment it was called upon. Instead of a miserable Reserve, we ought to have a very powerful and strong Reserve. The standing Army of this country must, as it seemed, be a small Army, but it should be efficient according to its numbers, and capable of rapid expansion. The only Reserve we could look to was the Militia, and he thought that this Force should engage for general service for the five years. He did not believe that Militiamen supposed for one moment they were never to serve their country abroad. On the contrary, he was persuaded that those who entered the Militia would be as ready to undertake to engage in foreign service as to remain at home. Our present Reserve was quite insufficient, and if it were not increased we should find ourselves at the outbreak in the same difficulty in which we had been placed during the Crimean War, when every sort of trickery and rascality had to be resorted to for the purpose of obtaining recruits. At length Parliament was obliged to raise the pay of the soldier, and 6*d.* a day was added to his pay, with the best results. Few persons realized the rapidity with which soldiers were used up in service in the field, not alone from wounds and death inflicted by the enemy, but from sickness and casualties. In the regiment with which he served in the Crimea 1,200 men were sent out within seventeen months to recruit it from home, and at the end of that time the regiment was no stronger than when it went out. The period of enlistment had been a short time ago increased from ten to twelve years, and now the Secretary of State proposed to shorten that period. But it appeared to him (Colonel Loyd Lindsay) that such a measure ought only to be carried into effect very gradually, or rather, that it ought not to be adopted at all. In the French Army the Government applied the large sums of money received from the *remplaçants* in buying back the old soldiers. They thus retained the best class of soldiers, who were transferred to the *corps d'élite*, and these *corps d'élite* were always brought to the front at moments of emergency. We had no *corps d'élite;* our regiments were taken as they stood; but all the French Generals who had made a name as soldiers had commanded one of those *corps d'élite*, and had distinguished themselves in this capacity. It was a great advantage to retain the old soldiers in an Army, and if the Government reduced the term of enlistment from twelve years to five they would make a great mistake which it would be impossible to go back from.

MR. HUSSEY VIVIAN said, he was one of those who looked with great alarm at the expenditure incurred by this country for its military service. It appeared to him that a sum approaching £13,000,000 was an amount which it was almost wicked to spend on the military branch of our public service. He was ready to vote any sum that might be really required for the defence of the country; but his firm conviction was that we were subjecting ourselves for that object to an unnecessarily large expenditure. He believed that we might have a very large and efficient Reserve, and at the same time immensely reduce the expenditure on our military service; and it was because he felt convinced that the establishment of an efficient Reserve would enable us to effect that reduction of expenditure, that he very strongly supported such a proposal. We had a standing Army of about 127,000 men, exclusive of the Army of India, and we had a Militia Force of some 134,000 men. Now he found that the direct Votes involved in the maintenance of the standing Army, including the non-effective branch, amounted to £10,929,000; while the Votes under the same head for the Militia amounted to only £1,041,000. That was clearly an enormous disproportion between the cost of the two forces. He did not propose for a moment to abolish the standing Army; but he proposed greatly to increase our Militia, and sensibly to reduce the standing Army; and he had no doubt that if that were done the country would be placed in a better defensive position than it held at present, and many millions of money would be saved. The question arose whether the Militia could or could not be considered an effective force, and the answer to that question must depend very much on the nature of the organization of that branch of our military service. They would do much to make the Militia efficient if they insisted that every Militiaman should be well drilled once for all; and they should take care that every Militia officer should be fully qualified for the discharge of his duties. The question really came to this, whether they could so train their Militiamen as to form them into efficient soldiers. He did not pretend to be a soldier; but he had raised a Volunteer regiment, and he had commanded it for ten years, and he believed he knew something of what constituted a private soldier. His impression was that the training required to make a man a private soldier need only extend over a limited period. He agreed with those who thought that a high state of discipline could not be attainable during a limited period of training; but if the Militia were called upon to face an enemy he had no doubt that they would soon imbibe the same sentiments of discipline as their brethren in the standing Army. If they could, within a limited period, cause the Militiaman to become an efficient soldier, they would attain the great object of establishing an efficient Reserve. The most important, perhaps, of all those questions was that which related to the officers. He was fully sensible that the great weakness of the Volunteer Force lay in the officers. As far as his experience went he had learnt to value rather lightly the training of private soldiers; but he valued very highly the training of officers. He was convinced they had a stratum from which they might draw officers which they had never before reached. He meant the stratum from which they drew their Volunteer Force—their middle classes, their clerks, and others, to whom a certain moderate payment might be a matter of great importance. He believed that by offering to those men a sum of some £30 or £40 a year they could obtain a large number of most efficient Militia officers. There were, besides, a number of officers who had retired from the Regular Army, and who found themselves totally unfit for the business of civil life, who would be very glad to engage in the new service. One of the most cruel positions in this country was that of officers who, after a few years of service, retired without being qualified to enter any other profession. They all knew, when any paltry office became vacant — such, for instance, as that of the command of a county police—[*A laugh*]—he meant paltry in point of remuneration — what numbers of persons applied for it. That office had not long since become vacant in the county he had the honour to represent, and he was perfectly astonished on examining the testimonials of the different applicants at the high character and the long and meritorious services of many of those gentlemen. He believed that if commands in the Militia were thrown open to retired Army officers most effective candidates would present themselves for those commands, and an enormous benefit would be secured for our national force. A force of that kind would, he thought, be a better one than any other. Every Englishman when he drew his first breath incurred a liability to defend his country. As to the ballot, so long as they were able to fill up their ranks without the ballot he would be the last man to have recourse to it; if, however, the necessity of the country required a certain number of Militiamen, and if they could not raise such numbers without the ballot he should not hesitate to resort to it. But the Militia should be purely a defensive force. As to the Reserve, it should not be an Army

Reserve, but a Reserve for defensive purposes. The Volunteer Force was a most important Force of defence; but it was not so reliable a Force as could be desired. If an emergency arose the Volunteer Force would no doubt be consolidated and respond to the call of the country; but it would take considerable time to organize it so as to make it thoroughly effective. At present there was no organization which would enable them to take the field for twenty-four hours, for they had no great coats, no tents, and no commissariat arrangements. His belief was that if the House agreed to increase the Militia force to some 300,000 or 400,000 men, the country would be placed beyond the possibility of invasion, and the standing Army might be so far reduced as to save about £4,000,000 per annum.

MAJOR WALKER maintained that the adoption of the system of the ballot would be most dangerous for the popularity of the Militia service, and would fill the ranks with men who had no love of soldiering in them. It would also inflict a blow on the efficiency of the force, for by the ballot men of every social class would be drawn into the service, and the higher the class the greater would the burden be felt, so that ultimately the terms of service would have to be assimilated to those of a National Guard. It was the wish of the country that the Militia should be made less local, and should be more connected with the Army, and believing that those results could not be attained by a system based on conscription, he trusted that the Government would pause before adopting the ballot. The demand for the ballot arose from a misconception that the Militia system, based on a voluntary enlistment, was more or less a failure. [Lord ELCHO: In war.] The Militia, as now constituted, were not called out for training before 1852, and yet that force supplied 35,000 men to the Line during the Crimean War. Therefore the country had no reason to be ashamed of what the Militia had done. Since that period the Militia force had increased both in numbers and efficiency, and what was now wanted for it was not revolution, but reform, and he was glad to hear the Secretary for War state that some important points, connected with an improved organization of the Militia, were now receiving attention. He also rejoiced to learn that it was intended to exact stricter tests as to the education and efficiency of officers. With respect to the men, it was important that the period for the preliminary training of the recruits should be extended; for the preliminary training constituted the most important period of their education, as they were then more open to receive instruction than at any other period. He, therefore, trusted that the preliminary training would, as soon as possible, be extended from fourteen days to twenty-eight. It was also most desirable that the training of what were called Volunteer non-commissioned officers should be increased. As to the Staff sergeants of Militia, they were, from his own experience, a most able, trustworthy, intelligent, and hard-working body of men, and through their exertions the Militia recruits were brought on very rapidly. It was said that they were only employed one month in a year, but that was not the case, for they were placed in a strict course of drill for some time before the annual training, and the actual work which the training involved occupied six weeks, so that altogether they were engaged not less than three months in the year. He did not say that they might not be still further utilized, and he had suggested on the establishment of the Volunteer force that the Volunteers might be drilled by Militia staff sergeants. He believed that, if the Militia were fairly dealt with, it might be made not indeed a force which a keen-eyed adjutant would pronounce faultless, but a force thoroughly military in its instincts and constitution, perfectly ready to undertake the garrison duty of the country in time of war, thoroughly able to manœuvre in conjunction with the Regular Army—a force, in fact, to which any General might apply the words of the present Commander-in-Chief when, after reviewing twelve battalions of Militia, he called the mounted officers to the front, and in frank, soldier-like phrase said — "I should be proud to command such a force on any service; and, gentlemen, I am quite sure we should not be licked."

COLONEL SYKES said, he thought that with our increasing population there would be no difficulty in filling up our numbers in the Army. There was no disinclination on the part of the men to enter the Militia, but there was a difficulty in filling up the lower grades of officers. No Army could be efficient which was not accustomed to camp life, and we should, therefore, do what our neighbours did, and camp three-fourths of our whole Army out for three months in the year. In this way the French soldier was taught how to take care of himself in certain positions, and learnt that which it was quite impossible for him to learn except under canvas.

Sir JOHN PAKINGTON said, before the debate closed, he hoped the House would allow him to add a very few words to what had been already stated. We lived in a time of great surprises; but, he confessed, he had seldom been more surprised than at hearing noble Lords and hon. Members on both sides of the House, and those who ranked high in the Liberal party, coming forward in the course of this discussion and declaring their unqualified desire at once to adopt the ballot in the Militia. He was glad to hear from the Secretary of State for War, that he, at any rate, did not sanction that principle, and it was really hard to understand upon what ground his noble Friend the Member for Haddingtonshire (Lord Elcho) and other hon. Members had urged it. He would not go over the ground so ably taken by the Secretary of State for War, by reminding the House how rapidly new men now entered the Militia and the Regular Army; but he should have thought that if there was a time at which the ballot was not necessary, it was this. He apprehended the House would agree with him, that we ought to retain the ballot box on the statute book, but that it must be hung up in our armoury, as being one of the most important arms that we must reserve for times of emergency. He entirely agreed with his right hon. Friend that it ought to be our last resource, and that we ought not to think of strengthening our national force by the ballot, except under obvious and admitted cases of extreme necessity. He joined, most willingly, in what had been stated on all sides, as to the spirit in which his noble Friend, whatever Government might be in power, had pressed this subject with admirable perseverance on the consideration of Parliament, and had reminded them, with truth, that it was in time of peace that we ought to make our preparations, and organize our Reserves. In addition to the necessity of the ballot, his noble Friend had urged two things—first, the necessity of organizing an Army of Reserve; and, next, that we should do well to adopt the system recommended by Sir Hope Grant—a long enlistment, with a comparatively short active service; so that there might be a margin available for service in the Reserve. He had listened with unqualified satisfaction to the testimony borne by almost every Member who had spoken, to the great importance and value of our old constitutional force—the Militia. Passing to the speech of his right hon. Friend the Secretary of State for War, he was sorry to be obliged to characterize it as a speech of fair promises and little performance. That such was the case he was, he must confess, somewhat surprised, because a considerable interval of time had elapsed since his right hon. Friend had moved the Army Estimates—when the several subjects which had been discussed that evening had been entered into at length. He had, under these circumstances, come down to the House in the full hope that he would have heard from the right hon. Gentleman to what extent he intended to organize the Army Reserve, and what the plan of the Government was with respect to that most important subject. The question was not a new one. It had been before the country for several years; and during the tenure of Office of the late Government, important steps had been taken by his right hon. and gallant Friend, General Peel—who, he regretted to say, was not among them on the present occasion—with the view to the adoption of a Reserve system. The steps which General Peel took consisted mainly of two parts; the one being an arrangement for constituting a Reserve force by means of Volunteers from the Militia regiments. By some hon. Members, objections were made to that mode of strengthening our Reserve; but he, for one, saw no good reason why it should not be persevered in, for he looked upon it as a most valuable way of increasing our Reserve force. The other portion of the plan, which had reference do twelve years' service, might perhaps, better be abandoned, if a more efficient scheme could be devised. He came, in the next place, to that part of the statement of his right hon. Friend the Secretary for War which related to a system of limited service combined with a system of Army Reserve. On that point he hoped the House would have from the right hon. Gentleman a more distinct statement as to what the intentions of the Government really were; for, as yet, it had only been told that in a future Session of Parliament they would probably be informed as to what the extent was to be of the diminished period of service. He was glad, he might add, to hear what had fallen from the right hon. Gentleman, as to the custom which had grown up in the Militia and Volunteers of purchasing adjutantcies, and he trusted the subject would not be lost sight of by the Government.

CAPTAIN VIVIAN said, he did not think the right hon. Gentleman who had just sat down had fairly characterized the speech of his right hon. Friend the Secretary for War when he spoke of it as a speech of fair promises but very little performance. The right hon. Gentleman contended that there was no justification for his right hon. Friend not having given fuller information to the House as to what the Government proposed to do with respect to the creation of a Reserved Force, because the question was one which had long occupied the attention of the country. The right hon. Gentleman himself had, however, been nearly two years Secretary for War, and what, he should like to know, had he done in the matter during that time? Absolutely nothing. On the other hand, his right hon. Friend the Secretary of State for War had taken the first preliminary step to any reform of the Army—namely, bringing home a larger number of regiments than had ever been in this country before. He had already brigaded the Militia force; he had improved the condition of the Militia officers to a certain extent, and all the Militia officers who had taken part in this debate had congratulated his right hon. Friend on what he had already done. The right hon. Baronet asked whether his right hon. Friend intended to abandon the Militia Reserve. So far from abandoning it, his right hon. Friend expected this year to get from that Reserve Force about 8,000 men, in spite of the very rigid regulation against taking married men into the Militia. It was a question whether in future years that regulation should be maintained. The object of that regulation was, in the event of a man being called out to serve, to prevent his leaving a wife and children behind chargeable on the parish. His right hon. Friend had told the House that the shortest enlistment, consistent with foreign service, would be adopted. It was impossible, without very careful examination, to make any great alteration on the subject of enlistment. His right hon. Friend, he thought, would have been liable to great complaint on the part of the House if he had come down with some crude and ill-digested plan for the purpose of gratifying the right hon. Baronet. He had acted in a more statesmanlike manner. He had told the House the exact position of affairs, and stated that at the beginning of next Session he hoped to be able to submit the scheme of the Government.

VISCOUNT BURY, in the absence of the noble Lord (Lord Elcho), said, the noble Lord had requested him to say that, after the speech of the right hon. Gentleman the Secretary of State for War, he did not wish to put the House to the trouble of dividing.

Amendment, by leave, *withdrawn*.

ARMY—FORTIFICATIONS—GUN SHIELDS, &c.—OBSERVATIONS.

CAPTAIN F. E. B. BEAUMONT rose to call the attention of the House to the Expenditure to be incurred in completing our Fortifications, so far as it relates to the protection of Guns by means of Shields or the use of the Moncrieff Gun Carriage. The hon. and gallant Member said that twenty years had elapsed since we were called upon to look for something to offer resistance to the increasing powers of modern ordnance; he mentioned the appointment of the Iron Plate Committee, which sat from 1861 to 1864; of the special Committee, better known as the Gibraltar Shield Committee, which reported in 1868; and of the Select Committee, a committee of scientific officers and others, sitting *en permanence*, who gave place, in 1869, to the Committee on Inventions, now sitting. The experiments made by the Iron Plate Committee divided themselves into three classes — first, experiments on solid cast iron and laminated iron; second, experiments on targets which offered an artificial resistance to the shot, and of which the Chalmers target was a fair type; and third, experiments on targets of which the Gibraltar Shield was the type. At the time the Gibraltar Shield was under consideration much ambiguity prevailed as to the direction in which improvements were to be sought. But it had since been suggested—he could hardly say by whom—that if the plates were separated from each other by a certain distance, the result might be successful. Accordingly, an experiment had been tried at Shoeburyness of three plates, the thickness of each of which was five inches, being bolted together, six inches apart, and the interval filled up with asphalte cement. The experiment was highly satisfactory; and from further experiments that had since been made he thought that this description of shield would be the shield of the future. He would now come to Captain Moncrieff's gun-carriage, which, as the House was aware, resembled in its mode of action a child's rocking-horse with the gun mounted on the tail, a heavy weight being attached between the fore legs, which overbalanced the weight of the gun. The recoil depressed the gun and raised the weight, which was held in that position till the gun was loaded. The weight was then let go, and its fall elevated the gun into its firing position. The gun had been tested as to its offensive powers, but it had not been tested at all as to its defensive capabilities. He thought the Government had been somewhat premature in buying up the system—if it did all that was expected of it, they had given too little—if it should prove a failure, the money had been wasted. The gun-carriage ought to be tried in every possible way, precisely as it would be tested in action, and this had not yet been done. He thought there ought to be a fair trial of the relative advantages between shields and this gun-carriage. There was a proposition now before the Secretary at War, to which he hoped his right hon. Friend would give favourable attention, of what might be called a competitive trial of shields. It was proposed that the War Office should make a standard shield, and then that the inventive talent of the country should be called on to compete with it, the reward of the successful competitor being a contract for a certain number of shields, for he was opposed to Government work wherever private enterprize could be introduced.

Captain F. E. B. Beaumont

MR. CARDWELL said, he was much obliged to his hon. and gallant Friend for having postponed bringing forward this question upon a previous occasion; but he hoped he would not expect him to go at length into the subject at midnight, especially as his opinion upon scientific subjects would not be highly valued by the House. Still he must observe that gun-carriages and shields were not things which could be contrasted with each other in the way the hon. and gallant Member proposed. Mr. Moncrieff's most skilful scheme had been brought before him first by the Ordnance Committee, which had considered it most carefully. It had received the entire approval of the authorities at the Horse Guards, and within the last few days he had laid upon the table the Report of the Committee appointed by his right hon. Friend opposite (Sir John Pakington), likewise speaking in the highest terms of the invention. Under these circumstances it was unnecessary for him to enter further into the subject. He had not the least doubt that the shields would soon be in their places. And when the House voted, as he felt persuaded they would do, the sum warded to Mr. Moncrieff by Lord Northbrook's Committee, they would have made, he believed, a most satisfactory arrangement.

SIR JOHN HAY, as Chairman of the Iron Plate Committee and of the Gibraltar Shield Committee, confirmed the statement of the Secretary of State for War, that it was impossible to contrast the two subjects of iron shields and the Moncrieff gun-carriage, both of which were extremely valuable inventions, and both of which, when properly placed, would become highly serviceable additions to the defences of the country. The Moncrieff gun-carriage had been referred to as a kind of hobbyhorse, and he hoped the hon. Member opposite (Captain Beaumont) would not attempt to ride that hobbyhorse to death. It would be very useful in its proper place, and he hoped his right hon. Friend opposite, and everybody who might follow him in the Office of Secretary of State for War, would see that the invention was only applied to its proper purpose.

Main Question, "That Mr. Speaker do now leave the Chair," put and *agreed to.*

SUPPLY—ARMY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

(1.) £952,700, Militia and Inspection of Reserve Forces.

Sir MICHAEL HICKS-BEACH called attention to the exceptional position of the quarter masters of Militia, who were, he said, as deserving a class of men as any in the whole Army. To have risen from the ranks to the position of an officer and a gentleman without any interest or private means was in itself a proof that for very many years a man must have devoted himself assiduously to the duties of his profession, and have maintained an uniform good character. Militia quartermasters, however, though their duties lasted for a considerable portion of the year, were only entitled to fourteen days' full pay beyond the training, while the rest of the Staff were paid during the whole year. They were in a worse position than the adjutant, an officer of similar rank, who received 1*s*. a day and the pay of a servant; and were worse off even than the sergeant or drummer of the permanent Staff as regarded lodging money. The peculiar hardship of their case, however, lay in the matter of pensions, being excluded from those to which, had they remained in the position of sergeants, they would have been entitled. His right hon. Friend (Sir John Pakington) investigated the matter, and had stated distinctly that had he remained at the War Office he should have proposed to grant pensions to these officers. From the year 1817 to 1829 pensions were actually attached to the quartermasters' position, and at the present moment four quartermasters, appointed before the year 1829, were actually in receipt of these allowances. In 1829, however, the Militia fell to some extent into abeyance, and no quartermasters were appointed; so that when, in 1852, that service was recognized the clause relating to these officers was not re-enacted. Remembering the responsible duties which quartermasters of Militia had to discharge, the fact that they were appointed late in life, and that it was desirable to make the place, to some small extent, a prize for meritorious soldiers, the pensions, he thought, might well be granted. But he rested his suggestion mainly upon the interests of the service, which required that men ought not to be tempted to hold out longer than they were actually efficient, and he trusted the Government would meet the point in a fair and liberal spirit.

Sir ROBERT ANSTRUTHER protested against the wild and extraordinary theories which had been advanced about balloting for the Militia. It would be a bad day for England if the time ever came when Englishmen had not sufficient love of country to defend their homes without being forced to do so. As regarded barrack accommodation for the Militia, in some places it was miserably deficient. The head-quarters of his regiment in Fifeshire had been condemned over and over again. So miserably off, indeed, were they for a shed or any description of cover, that upon one pouring wet day when the regiment assembled they had actually to change their civilian for their military clothing in the streets. A little further north bare legs would not have mattered so much, but Fifeshire was a more civilized region.

Colonel NORTH said, no body of men were more deserving of pensions than the Militia quartermasters. He was sure the country had no wish to deprive them of advantages enjoyed by the other members of the Militia Staff.

Colonel CORBETT said, any person conversant with the circumstances of the case must know the immense amount of responsible work that was thrown upon quartermasters of Militia when the stores and accoutrements of the regiment were being given in. Such responsible officers were fully entitled to pensions. He suggested that barrack accommodation should be provided for the recruits as they were enrolled; estimating that accommodation of this kind to the extent of about 5 per cent of the whole strength of the regiment would be sufficient. The adjutant and staff would thereby be dealing with the men in manageable numbers, and a better foundation could be laid for the future progress of the recruits than when all the regiment was mustered together. It appeared, also, that some of the men of Militia regiments had no great coats, and that some had great coats which were useless. He thought that they should all be provided with serviceable great coats.

Mr. CARDWELL said, there was great necessity for circumspection in increasing non-effective Votes. When the Militia was re-constituted, in 1853, it was determined to restore the quartermasters, but not to provide them with pension; and, in 1858, a Commission considered the case of the quartermasters and disposed of it by saying that their pay and allowances were sufficient. Moreover, it was now a serious question whether the employment of quartermasters should be continued at all, and until that question was decided one way or the other he could not give any promise on that subject. With regard to barracks, he would do his best to see that they were utilized, as he had no intention of proposing their abolition. As to the great coats, it would cost a considerable sum to provide great coats for all the Militia, and as they were only out for a few days in the hotter season of the year great coats were perhaps not absolutely needed.

Sir MICHAEL HICKS-BEACH expressed himself dissatisfied with the answer of the Secretary of State in regard to pensions to quartermasters, and said he should feel it his duty to bring the matter before the House again.

Mr. Alderman LUSK said, that military gentlemen appeared to think the nation was made for the Army, instead of the Army being made for the nation, and he complained that the interests of the tax-payers were not sufficiently regarded.

Vote *agreed to.*

(2.) £89,300, Yeomanry Cavalry.

Sir HENRY HOARE objected to the Vote, as the Yeomanry were not a body fit to take service along with regular troops. He suggested that the amount of the Vote be transferred to increase the capitation grant of Volunteers. An infantry soldier required six months in order to be turned out efficient, and more time would be required for a cavalry soldier. Now, the Yeomanry had only five days' drill and discipline, and he had seen men ignoring the fact that they had a right hand and left hand, and the horses might be seen careering round the field, the riders perfectly incapable of controlling them. They were an improper force to be called out at any time in support of the civil power, and their lamentable appearance, in 1819, must be deplored by every Member of that House. Under any circumstances, calling this force out was likely to set class against class. He moved for the reduction of the Estimates by the amount of £89,300.

Mr. A. EGERTON, having the honour to command a Yeomanry force, wished to remind the hon. Baronet that at Peterloo the Yeomanry merely obeyed orders, and it should be remembered that a cavalry force was much more efficient in suppressing a riot than infantry; and, not many years ago, in Bolton, a riot occurred, and the Yeomanry were ordered to clear the streets. It was done, and the only action that took place was between a collier and a Yeomanry captain, which resulted only in a wound to the nose of the collier. But the mob immediately disappeared. The troops were drilled by the serjeant-majors at their own quarters, and the inspecting officers had always expressed their admiration of the willingness of the men to learn their drill. He did not mean to say that Yeomanry were fit to act alongside cavalry of the Line, but he felt certain they would be able to do so in a very short time. If invasion were to happen no doubt it would be found necessary to secure the service of a body of irregular cavalry, and it would be a fortunate thing to secure the prompt services of a body of men such as these 17,000 men would prove.

Mr. BARNETT said, he understood that the hon. Baronet (Sir Henry Hoare) did not make much progress in the regiment of Yeomanry to which he belonged—and that it was now in a very different state of efficiency from what it was when the hon. Baronet held a commission in it. He thought that a body of men like the Yeomanry would be of the utmost value if through any event they should be called upon to act in conjunction with the Volunteer Rifle Force, and he had no doubt they would prove most valuable coadjutors.

Mr. ACLAND, as a Yeomanry officer, did not think the force was in the condition it ought to be; but he thought the remarks of the hon. Baronet (Sir Henry Hoare) were not in all respects correct. He expressed his thanks to the Secretary of State for War for having grappled with this subject. The late Sir E. Wetherall had said that no force could be more valuable in a country like this than a mounted rifle force.

Mr. CARDWELL said, he supposed the hon. Member for Chelsea (Sir Henry Hoare) had been enjoying himself more comfortably in the earlier part of the evening than he would have been in listening to his statement. He had, in that statement, explained the principles on which the Government proposed to proceed in reference to our Reserved Forces. The cost of our Yeomanry, man for man, was not large as compared with the Regular Cavalry, and he believed that the Vote was a reasonable one.

(2.) Motion made, and Question put, "That a sum, not exceeding £89,300, be granted to Her Majesty, to defray the Charge of the Yeomanry Cavalry, which will come in course of payment from the 1st day of April 1869 to the 31st day of March 1870, inclusive."

The Committee *divided:*—Ayes 117; Noes 27: Majority 90.

Vote *agreed to.*

(3.) £414,000, Volunteer Corps.

(4.) £81,200, Army Reserve Force.

(5.) £64,479, Greenwich Hospital and Schools.

Sir JOHN HAY said, that the governorship of Greenwich Hospital had always been looked forward to as a prize among the most distinguished naval men, and he must enter his protest against its being abolished. The Navy rejoiced in the appointment of the new Governor, Sir Houston Stewart, but it was a matter of regret that the emoluments should have been so reduced. He hoped his right hon. Friend would reconsider the subject.

Mr. CHILDERS said, he thought that the salary of £1,200 attached to the office was sufficient, as it was equal to the highest prizes in the Navy.

Sir JOHN PAKINGTON said, that the great prize which was offered by the appointment to the most distinguished officer in the Navy was the sum of £100 per annum, by which sum the salary attached to the office exceeded his former income. If he were permitted to retain his half-pay and his good-service pension it would have been a real prize to have offered.

Vote *agreed to.*

(6.) £14,093, Advances and Expenses of Carey Street Site for New Law Courts.

Mr. HUNT said, he hoped the question of the site of the new Law Courts would not be postponed until Members had left town and the decision was practically left to the Treasury Benches.

Mr. AYRTON assured the right hon. Gentleman that full opportunity would be given for the discussion.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow,* at Two of the clock; Committee to sit again *To-morrow.*

SPECIAL AND COMMON JURIES BILL.

On Motion of Viscount Enfield, Bill to amend the Laws regulating the qualification, summoning, attendance, and remuneration of Special and Common Juries in England and Wales, *ordered* to be brought in by Viscount Enfield, Mr. Headlam, and Mr. Denman.

FINES AND FEES COLLECTION BILL.

On Motion of Mr. Hunt, Bill to enable Local Authorities to collect Fines and Fees by means of Stamps, *ordered* to be brought in by Mr. Hunt, Mr. Sclater-Booth, and Mr. Staveley Hill.

Bill *presented,* and read the first time. [Bill 159.]

HIGH CONSTABLES' OFFICE ABOLITION, &c. BILL.

On Motion of Mr. Hunt, Bill to provide for the discharge of the duties heretofore performed by High Constables, and for the abolition of such office, *ordered* to be brought in by Mr. Hunt, Mr. Sclater-Booth, and Mr. Staveley Hill.

Bill *presented,* and read the first time. [Bill 160.]

House adjourned at
Two o'clock.

HOUSE OF LORDS,

Friday, 11*th June,* 1869.

MINUTES.]—Public Bills—*First Reading*—Poor Relief (Ireland) Act (1862) Amendment * (124); Municipal Franchise * (125).

Second Reading — New Parishes and Church Building Acts Amendment (106); Beerhouses, &c. (122); Customs and Inland Revenue Duties (111); Election Commissioners (Expenses) (121).

Committee—Recorders' Deputies * (105).

Committee—Report—Oxford University Statutes* (114).

Report—Stannaries * (123).

Third Reading—Parochial Schools (Scotland) * (119); Metropolitan Commons Supplemental * (35), and *passed.*

THE IRISH CHURCH BILL.

OBSERVATIONS. QUESTION.

Lord BATEMAN said, he ventured, with the kind indulgence of their Lordships, to make a few remarks, though he was not in regular Order. He had to apologize to their Lordships for taking this course, and to the noble Earl opposite (Earl Granville) for the very short notice he had given him of the Question which he intended to ask him, but he trusted that the gravity of the subject to which he was about to refer and the conciliatory feeling by which he was actuated, would be his apology. In common, with every Member of the House, he felt great anxiety with reference to the difficulty in which the House was placed in regard to a Bill of great importance which would come before their Lordships next week. He had considered the matter very carefully, and was of opinion that some mode could be devised of extricating the House from what threatened to be a serious difficulty. Under what circumstances did the Bill come before the House? The Bill was introduced in the other House by the Prime Minister, who carried it by successive majorities perfectly without parallel. There was a large part of the people of this country who did not approve of the Bill. There was another party—he might call them the turbulent party—who were in favour of the Bill, and had used language in reference to their Lordships' House which, he believed, their Lordships would not brook. He thought their Lordships would agree with him that a measure of such importance as the Irish Church Bill could be considered more impartially in that House than in the House of Commons; but threats had been used towards their Lordships, in case they should reject or materially alter the Bill, which were calculated to irritate and provoke the resistance of those who sat on his side of the House.

THE EARL OF CARNARVON rose to Order. He had not the least conception what his noble Friend proposed to say; but he submitted that it was not right that a very important subject which was to come before the House next week should be brought forward without notice, and in a manner that could lead to no result whatever.

LORD CAIRNS said, he also was about to rise to Order. Last year their Lordships had agreed that any Peer who desired to make a statement that was likely to lead to any debate, or to put a Question, should place a Notice to that effect upon the Paper. He understood that the noble Lord had given private notice to the noble Earl the Secretary of the Colonies of his intention to put a Question; and, if the noble Earl was prepared to answer it, there could be no objection to the course which the noble Lord was pursuing; but he (Lord Cairns) objected to it on behalf of the House generally, and he trusted his noble Friend would not proceed with his intended statement.

LORD BATEMAN said, he did not wish to proceed in opposition to the feeling of the House; but he thought the noble Earl opposite, with whom he an interview on the subject this morning, would agree with him that the Question would have led to a very satisfactory result, and might have saved the House from a position which all must deplore. The observations he had intended to make would, he believed, have strengthened the hands of the Government as well as of the House. In deference, however, to the objection of the noble Earl, he felt bound to refrain from making any further observations on the subject.

EARL GRANVILLE: I entirely agree with the noble Earl (the Earl of Carnarvon) as to the irregularity of the course taken by the noble Lord. The noble Lord was good enough to give me notice of a Question which he proposed to put, having reference to certain reports to which he has alluded, as to the course which the Government intend to take with respect to the Bill which will come before your Lordships next week. I told the noble Lord that, in my opinion, there were two objections to his putting the Question or to my answering it. One was that it was not desirable to raise a small debate to-night on the subject which will come before the House in due course next week; and the other was that it would be contrary to the rule which we laid down last Session and to which the noble and learned Lord (Lord Cairns) has adverted. At the same time I told him I could quite understand the anxiety which every Member of the House must feel with respect to the precise position in which they stood with regard to the Irish Church Bill, and I could also understand the wish of noble Lords for some information with regard to the threats to which he has referred as having been held out towards this House in case your Lordships should think proper to adopt a certain policy. I have seen those threats quoted in some detail in speeches made out-of-doors; but I am utterly unaware of any foundation there can possibly be for them. I shall not answer the noble Lord's Question now, but I shall take an opportunity, on Monday, of explaining to the House in a manner which I trust will be satisfactory to any reasonable man, that Her Majesty's Government neither has nor ever had any intention of departing from that proper and respectful course which it is the duty of Her Majesty's servants to follow, whether they are dealing with the House of Commons or with your Lordships' House.

THE IRISH CHURCH BILL.—PETITION.

THE DUKE OF ABERCORN rose to present a Petition from Belfast against the Irish Church Bill. This Petition had been agreed to at one of the most important meetings ever held in Ireland. It was held on the 22nd of May, was attended by 80,000 persons, and was remarkable for the large attendance of the respectable and intelligent classes, and for the unanimity which prevailed with regard to the mischievous and dangerous nature of the measure which would come before their Lordships next week. One of the most remarkable features of the meeting was the entire union of sentiment which was displayed between the Presbyterians and the members of the Established Church. The attendance of Presbyterians at this meeting, as well as that held at Londonderry, was extremely large and enthusiastic, and the cordial support which they gave to the resolutions condemnatory of the Bill furnished an unmistakeable proof of the remarkable change that had occurred in their views since the General Election, and since their eyes had been opened to the injustice and partiality of the Bill. The same fact was evinced by the Petition which he had presented, signed by 10,000 Protestants in the North-west of Ireland, some of the resolutions at that meeting being moved and seconded by Presbyterians. He believed that Belfast and Londonderry were not singular in this view, and that a very general change of feeling had manifested itself throughout the country, and not only in Ireland but in England. The petitioners stated that they viewed with alarm and indignation the Bill for the disestablishment and disendowment of Protestantism in Ireland; that they regarded it as a subversion of the Protestant institutions of the realm, a violation of the Act of Settlement, the Treaty of Union, and the Coronation Oath; they said that the measure was in the highest degree obnoxious to the Protestants of Ireland, and was fraught with eminent peril to the peace and prosperity of the Empire. While anxious for the removal of anomalies and for any wise measure of reform by which the efficiency of the Church would be increased, they strongly deprecated the present Bill, and prayed their Lordships to prevent the passing of a measure so injurious to the interests of true religion and so antagonistic to the industrious and loyal population of the North of Ireland.

Petition *ordered* to lie on the Table.

NEW PARISHES AND CHURCH BUILDING ACTS AMENDMENT BILL.

(*The Archbishop of York.*)

(NO. 106.) SECOND READING.

Order of the Day for the Second Reading, read.

THE ARCHBISHOP OF YORK in moving that the Bill be now read the second time, said, the Bill consisted of a number of details enlarging the powers given by existing Acts. It extended the powers of the 9th section of the "New Parishes Act, 1864" beyond the existing period of five years, so as to enable the Commissioners at any time to alter the boundaries of ecclesiastical districts, which may have become a new parish, for ecclesiastical purposes under that Act; and it enabled trustees or owners of private property, in whole or in part, to surrender their rights to the Ecclesiastical Commissioners, in order that the churches might have districts assigned to them, and become to all intents and purposes parish churches. It enabled portions of a benefice, held in severalty, to be consolidated into one. The 8th clause rendered it unnecessary, where the patronage of any benefice is in the incumbent of another benefice, to require the assent of the owner of the advowson to the assignment of the former, the lay patron being compensated for the diminution in value of his advowson; and the last section removed the disability under which certain persons mentioned in 58 *Geo.* III., c. 45, sec. 31, & 3 *Geo.* IV., c. 72, sec. 1, were placed to grant land as sites for churches, &c., provided that no such grant shall exceed one acre.

Moved, "That the Bill be now read 2ª."—(*The Archbishop of York.*)

LORD PORTMAN referred, in an inaudible tone, to some of the provisions of the Bill to which he objected.

THE EARL OF CHICHESTER said, that some parts of the Bill were unnecessary and others objectionable.

THE ARCHBISHOP OF YORK, in reply to some of these remarks, explained that no trustee could convey a greater right in churches than he actually possessed, and that, while thinking a right of appeal, on the part of the parishioners, not unreasonable, such a privilege was not contemplated in any of the Church Building Acts, which it was the object of this Bill to amend. As to allowing a veto, the operation of such a clause in the case of the City churches was a warning against the multiplication of checks of this kind.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* the 21*st Instant.*

BEERHOUSES, &c., BILL—(No. 122.)

(*The Marquess of Salisbury.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE MARQUESS OF SALISBURY, in moving that the Bill be now read the second time, said, this Bill, which the House of Commons had passed unanimously, practically repealed the change in the Licensing Law, effected by the Duke of Wellington's Government in 1830, by what was called the Beerhouses Act. Under the old law all public-houses were licensed by the justices; but the Act of 1830, the object of which was to secure to the public the benefit of a reduction in the duty on beer, vested the licensing of houses for the sale of beer in the Excise. This change had not worked satisfactorily, and only nine years after its passing, a Bill for its repeal, introduced by Lord Brougham, passed this House, but was rejected by the House of Commons. A Select Committee of the House of Commons—which sat, some time ago, under the presidency of Mr. Villiers—reported that the system had proved a failure; its object having been to secure the public cheap and pure beer, and to dissociate beer-drinking from drunkenness, and to induce the establishment of a class of refreshment houses free from the disorders supposed to attend exclusively on the sale of spirits. That Committee further expressed their concurrence in the Report of a Select Committee of this House, which sat in 1849, that the beer-shops were for the most part in the hands of the brewers, that they were notorious for the sale of an inferior article, that the consumption of ardent spirits had not diminished, and that, instead of its being a boon to the lower classes, the comfort and morals of the poor had been seriously impaired by the measure. Now, the present Bill proposed that beer-houses, like public-houses should be licensed by the magistrates, who would withhold their certificate in the case of any house which was the resort of bad characters—and it was notorious that in many of these places all kinds of crimes were planned. The Government had accepted the measure; but, holding that a more comprehensive Bill was necessary, they had restricted its operations to two years, so that it was merely suspensory and tentative, and Parliament could retrace its steps before any mischief could happen in the event of its not working satisfactorily.

Moved, "That the Bill be now read 2ª."—(*The Marquess of Salisbury.*)

THE EARL OF DERBY said, he did not object to the measure, but he desired to call attention, with a view to ulterior measures, to the conflicting principles on which benches of magistrates acted in granting or refusing licenses. At Liverpool great difference of opinion existed on this matter; and while some of the magistrates held that the eligibility of the house and the responsibility of the applicant were the only considerations, others considered likewise the question whether or not the wants of the district were already sufficiently supplied. Thus, a slight difference in the constitution of the bench made all the difference in granting or withholding the license, for one bench of magistrates sometimes granted a license, while another in a precisely similar case refused it. This anomaly ought to be removed, and a uniform principle laid down.

THE EARL OF MORLEY, on the part of the Government, supported the Bill as a suspensory measure, paving the way for legislation on a larger scale. No fewer than thirty-two Acts at present existed regulating the sale of excisable liquors, many of them being obsolete or redundant, and the Act of 1839 had not fulfilled the expectations of its promoters. Some restriction was evidently necessary; and, though the Government did not pledge themselves to adhere to the principle of magisterial licensing, on which much difference of opinion existed, as shown by the congress which had been held in London this week, they accepted the Bill as a measure which would arrest the spread of the evil and prevent the creation of new vested interests which might hinder the adoption of a more extensive scheme. An apology was hardly needed for the question not having been dealt with this year; but next year, or, at least, the year after, the Government hoped to deal with the whole licensing system.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* the 22*nd Instant.*

CUSTOMS AND INLAND REVENUE DUTIES BILL.—(No. 111.)

(*The Marquess of Lansdowne.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE MARQUESS OF LANSDOWNE, in moving that the Bill be now read the second time, said, he would briefly lay before the House the following statement of the Revenue and Expenditure of the country for the financial year 1868-9, and the Estimates, Income, and Expenditure of the present year, on which the Chancellor of the Exchequer had based his financial proposals. The Revenue for the financial year 1868-9 was as follows:—

	£
Customs	22,424,000
Excise	20,462,000
Stamps	9,218,000
Taxes	3,494,000
Property Tax	8,618,000
Post Office	4,660,000
Crown Lands	360,000
Miscellaneous	3,355,991
Total	72,591,991

The Expenditure had been—

	£
Interest of Debt	26,618,326
Other Charges on the Consolidated Fund	1,887,286
Army	15,000,000
Navy	11,366,545
Miscellaneous Civil Service	8,983,019
Revenue Department	2,576,164
Post Office	2,445,138
Post Office Packet Service	1,096,338
Abyssinia	3,000,000
Total	72,972,816

Adding £2,000,000 to the expenditure for the Abyssinian Expedition, the total Expenditure for the year was £74,972,816; to this was to be added for Fortifications, to be raised under special Acts of Parliament, £525,000, making a grand total of £75,497,816. The total Income being £72,951,991, there would be an excess of total Expenditure over Income for the year ended 31st March, 1869, of £2,905,824. The estimated Expenditure of this year as compared with the actual Expenditure of last year was

		£
Interest on Debt, 1869-70		26,700,000
„ 1868-69		26,700,000
Other Charges on Consolidated Fund 1869-70		1,700,000
Other Charges on Consolidated Fund 1868-69		1,865,000
Army, 1869-70		14,230,000
„ 1868-69		15,456,000
Navy, 1869-70		9,997,000
„ 1868-69		11,157,000
Miscellaneous—		
Civil Service Estimates,	1869-70	9,530,000
„ „	1868-69	9,249,000
Revenue Departments,	1869-70	4,976,000
„ „	1868-69	4,968,000
Post Office Packet Service,	1869-70	1,090,000
„ „	1868-69	1,089,000
Total estimated Expenditure for 1869-70		68,223,000
Expenditure for last year, minus payments for expenditure to Abyssinia, £70,484,000; two payments for Abyssinia, £3.000,000 and £3,600.000, £6,600,000, bring the actual Expenditure of last year up to		77,084,000

Leaving Abyssinia out of the account, there would be a decrease of Expenditure for the current year as compared with last of £2,261,000. The estimated Revenue of the current year upon the scale existing at the close of the last financial year, and as compared with the Revenue of 1868-9, would stand thus—

		£
Customs,	1869-70	22,450,000
„	1868-69	22,424,000
Excise,	1869-70	20,450,000
„	1868-69	20,462,000
Stamps,	1869-70	9,350,000
„	1868-69	9,218,000
Property Tax,	1869-70	8,800,000
„	1868-69	8,618,000
Post Office,	1869-70	4,880,000
„	1868-69	4,660,000
Crown Lands,	1869-70	375,000
„	1868-69	360,000
Miscellaneous,	1869-70	3,000,000
„	1868-69	3,355,991
The total Income for 1868-69 was .		72,591,900
The total Income for 1869-70 was estimated at		72,855,000
Total estimated Expenditure, exclusive of payments for Abyssinia, was		68,223,000

Comparing the estimated Revenue and Expenditure of the year 1869-70, there would have been a surplus of £4,632,000, but for the cost of the Abyssinian War. This was estimated at £9,000,000, of which £8,600,000 had been expended; but of this Ways and Means had been provided for only £4,000,000, as £1,000,000 of last year's Vote had been borrowed by means of Exchequer Bonds, leaving £4,600,000 still to be met. The surplus, therefore, of the current year, all but £32,000, would be required to make good the balance for the Abyssinian War. It appeared to the Chancellor of the Exchequer that there had been great defects in the system of collecting the land and assessed taxes. They had been collected in two instalments, and the Chancellor of the Exchequer calculated that by collecting them at once, and by the machinery of the Excise, at least £100,000 a year might be saved. The right hon. Gentleman proposed to convert most of the assessed taxes into license duties, and to make these duties payable at the beginning of each year, instead of in two instalments in October and April. He proposed that the land tax, the inhabited house duty, and the income tax should be paid in one payment, and at the beginning of the year. The Chancellor of the Exchequer contended that before the end of March, 1870, there would have been paid into the Exchequer £600,000 of the Excise licenses, £950,000 of the land and assessed taxes, and £1,800,000 of the income tax; or a total of £3,350,000; which, added to the £32,000, would give a surplus of Revenue over Expenditure of £3,382,000 for the financial year. This "windfall," as it had been called the Chancellor of the Exchequer proposed to apply in remission of duties. A 1*d.* was to be taken off the income Tax, the 1*s.* duty on corn was to be abolished, as were also the fire insurance duties; various remissions and modifications were to be made in respect of the duties on hair-powder, armorial bearings, horses, and carriages. Comparing the estimated Revenue and Expenditure of the year 1869-70 there would have been a surplus of £4,632,000, but for the cost of the Abyssinian War, which was estimated at £9,000,000. Of this sum, £8,600,000 had been voted—namely, £2,000,000 in November, 1867; £3,000,000 in April, 1868; and £3,600,000 in February, 1869. But of this Ways and Means had been provided for only £4,000,000, as £1,000,000 of last year's Votes had been borrowed on Exchequer Bonds, leaving £4,600,000 still to be met. With the exception, therefore, of the sum of £32,000, the surplus of the coming year would be absorbed by the amount due and voted for the Abyssinian War. The Bank balances stood at present at £3,775,000; but as we owed the Bank £1,000,000, there only stood to our credit £2,775,000—which was far too low a sum for safety. Apologizing to the House for the wearisome nature of the details, he had felt it to be his duty to lay before them, and thanking them for the patience with which they had listened to him, he begged to conclude by moving the second reading of the Bill.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

ELECTION COMMISSIONERS' (EXPENSES) BILL—(No. 121.)

(*The Lord Privy Seal.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF KIMBERLEY in moving that the Bill be now read the second time, said the Bill was rendered necessary by some imperfections in the Act of last year. That Act provided that the expenses of these inquiries should be defrayed as if they were expenses incurred in the registration of voters for the county or borough, in respect of which Commissioners of Inquiry were appointed. The present Bill was introduced with the view of enabling the Treasury to advance the necessary money for the payment of the expenses of the Commission, which advances were to be re-paid by the local officers of the county, city, or borough in respect of which the Commissions of Inquiry had been appointed in the manner set forth in the Bill.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

House adjourned at a quarter before
Seven o'clock to Monday
next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 11*th June,* 1869.

MINUTES.]—Supply—*considered in Committee —Resolutions* [June 10] *reported.*

Public Bills—*Ordered—First Reading*—Special Bails * [162].

Second Reading—Greenwich Hospital * [105].

Committee—Bankruptcy [97]—R.P.

Committee—Report—Park Gate Chapel Marriages, &c. * [111]; Pier and Harbour Orders Confirmation (*re-comm.*) * [157-161]; Pier and Harbour Orders Confirmation (No. 2) (*re-comm.*) * [158-161]; (£2,300,000) Exchequer Bonds * [152]; Sea Fisheries Act (1868) Supplemental * [146]; Titles of Religious Congregations Act Extension * [156]; Public Parks (Ireland) * [147].

Third Reading—Diplomatic Salaries, &c. * [118]; Oyster and Mussel Fisheries Supplemental * [76] and *passed.*

The House met at Two of the clock.

DIPLOMATIC PENSIONS.—QUESTION.

Mr. STAVELEY HILL said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether a first-class pension of £1,700 can be awarded to a Diplomatist after a service of fifteen years; and whether a fourth-class pension of £700 cannot now be awarded after a service of twenty-five years, or an actual service of ten years, from date of first commission?

Mr. OTWAY, in reply, said, as there appeared to have been some misapprehension on this subject, he would state the conditions under which diplomatic pensions were at present granted. Under the Act 2 & 3 *Will.* IV., c. 116, no diplomatic pension could be granted to any person until after the expiration of fifteen years from the date of the first commission, nor until after he should have actually served ten years. But, if, in the course of these ten years, he had served three years as Ambassador at some foreign Court, he would be entitled to receive a first-class pension of £1,700. A fourth-class pension, not exceeding £700 a year, might be granted fifteen years after the date of the first commission, if the person had actually served ten years at some foreign Court. In the whole diplomatic service there were but four persons enjoying a first-class pension. One of these was Lord Napier, whose pension was at present in abeyance owing to his being Governor of Madras; he had served twenty-five years, five years of which as Ambassador. Another was Lord Stratford de Redcliffe, whose service commenced in 1807, and terminated in 1858; he had been more than five years an Ambassador before his pension was granted. The third was Lord Cowley, who entered the diplomatic service in 1824, and retired in 1867, having served continuously for forty-three years, of which thirteen and a-half as Ambassador, before his pension was granted. The last was Sir Henry Bulwer, who entered the diplomatic service in 1827, and retired in 1865, after thirty-eight years' service, of which seven were passed as Ambassador. Although under the Act diplomatists were entitled to pensions for the terms he had stated, practically the length of service for which pensions were granted was much more extensive than was required by the Act. After fifteen years, according to the Act, a man became entitled to a pension; practically the time was twenty years, because during the first four years of service he received no pay, nor had he a commission.

ARMY—TROOPS AT THE MAURITIUS.
QUESTION.

Colonel SYKES said, he would beg to ask the Secretary of State for War, Whether orders have been sent to the Mauritius to diminish the medical staff, although the Inspector of Hospitals has reported that in consequence of the re-appearance of fever in a more virulent form than last year he needs additional assistance. The number of Men and Officers of the 86th Regiment fit for duty out of the total strength of the regiment on the 6th of May, when the mail left; and, whether the free Commissions for competition at Sandhurst for the half year have been reduced to twenty, and on what grounds?

CAPTAIN VIVIAN said, in reply, that his right hon. Friend the Secretary of State for War did not contemplate any immediate reduction of the medical staff at the Mauritius. With respect to the number of men and officers fit for duty he had to state that, on the 1st of May, 1869, there were sixteen officers and 493 men fit for duty in that place. At the Cape of Good Hope there were four officers and ninety-two men; three men were in prison, and there were two officers and twenty-one men on the sick list, making a total of twenty-two officers and 609 men. With regard to the last part of the hon. and gallant Member's Question, he had to state that the number of commissions to be competed for was settled by the exigencies of the service and the number of cadets who were prepared to compete. At the forthcoming examination that number would be reduced to twenty.

ARMY—AMMUNITION FOR THE VOLUNTEERS.—QUESTION.

LORD GARLIES said, he would beg to ask the Secretary of State for War, Whether he can state why no ammunition has been supplied to the Battalion of Galloway Rifle Volunteers this season, although the usual requisition was made for it over two months ago?

CAPTAIN VIVIAN said, in reply, that the reason was because the whole Volunteer Force was being supplied with new ammunition, and that this required some time to accomplish. The various corps throughout the country were being supplied, as the ammunition was made, and no delay further than was absolutely necessary would occur.

INDIA—PUNJAUB TENANCY ACT.
QUESTION.

MR. C. DENISON said, he wished to ask the Under Secretary of State for India, Whether the Secretary of State has it in contemplation to disallow the Punjaub Tenancy Act passed in October last at a Council held at Simla, the said Act never having been previously published in the *Gazette* as required by Law, so that the intention of the Legislature might become generally known; and, whether the Governor General, in Legislative Council, has it in contemplation to amend or rescind certain provisions in the said Act which have caused dissatisfaction among the landed proprietors of the Punjaub?

MR. GRANT DUFF, in reply, said, no resolution of any sort or kind had been come to by the Home Government with regard to the Punjaub Tenancy Act. Nor had they heard anything whatever about any intention on the part of the Governor General to amend or rescind any provisions of that Act in his Legislative Council.

BANKRUPTCY (*re-committed*) BILL.
(*Mr. Attorney General, Mr. Solicitor General.*)

[BILL 97.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 53 (Status of undischarged bankrupt).

MR. PEEK said, he had an Amendment on the Paper with reference to the third sub-section, which provided that if a bankrupt should not at the close of five years have obtained an order of discharge, any balance of his debts remaining unpaid should be deemed a debt for which he would be liable. He begged to move to leave out lines 9 to 23 inclusive, and insert—

> "3. At any time within six years from the date of the adjudication of bankruptcy any creditor having reason to believe that the bankrupt has acquired any property may apply to the Court, and the Court may require the bankrupt to file such accounts as it may deem necessary, and may order that the whole or a portion of such after-acquired property may be divided amongst the creditors; but in making such order the Court shall also take into consideration any liabilities incurred by the bankrupt since the date of his bankruptcy."

THE ATTORNEY GENERAL said, this matter had been already settled, and to adopt the Amendment would conflict with the provisions of the Bill already agreed to.

Amendment *negatived.*

MR. MORLEY moved that three years be the term mentioned in this sub-section instead of five.

Amendment *agreed to.*

Clause *agreed to.*

Clause 54 (Audit by Comptroller in Bankruptcy).

MR. ANDERSON moved, in page 20, line 25, to leave out, "The accounts of the trustee shall be audited by," and insert—

> "The trustee having had his accounts audited by the committee of inspection shall, within ten days thereafter, forward the certified statement to—"

His object was still further to assimilate the measure to the Scottish system.

THE SOLICITOR GENERAL said, the point had been well considered. If this plan of auditing were found advisable, the change could be made by the operation of the Court. There would be difficulty in the rural districts of obtaining an efficient audit. The advantages in favour of an independent audit were so great that he must press the provision of the Bill.

MR. BOURKE said, he thought the commercial community would find the hurry of business so great in many cases, that creditors would not look after estates in the way they did in Scotland. Under these circumstances it would be desirable to have an officer to look after the auditing of the accounts, and the Lord Chancellor might have power to appoint one or two auditors for the country, in addition to the auditor resident in London.

MR. WEST said, he was afraid that Clause 54, as it stood, could hardly be worked. In order to have an efficient audit, it would be necessary to send all the books to the auditor, and that would be utterly impracticable. It might be a proper suggestion that the Lord Chancellor should have power to appoint other auditors; but he hoped the Committee would be careful not to fall into the evils they were trying to get rid of.

MR. SERJEANT SIMON said, it was quite right there should be an independent audit, but that involved personal attendance as well as the bringing of books, and those things would be very troublesome in large bankruptcies, and expensive in small ones. He suggested that, in the present registrars and treasurers of the County Courts there was the machinery for auditing accounts ready to hand, and they were persons far removed from collusion with trustees or inspectors.

MR. WHITWELL said, he would point out that the Amendment, in providing that accounts should be first audited by the committee of inspection and a statement then sent to the Comptroller, did not interfere with the independence of that officer, who would still have full powers to call the trustee to account. The introduction of the Amendment would make the Bill work conformably with the Scotch system, which had been found very satisfactory in its operation in this respect.

MR. AYRTON said, that the suggestions of the hon. and learned Member for Dewsbury (Mr. Serjeant Simon) had been fully considered by the Bankruptcy Committee, who started with a strong feeling in favour of local audit, but after long and anxious inquiry came to the conclusion that this would be impracticable. A person could not be appointed to a responsible duty unless he was separated from personal relations with those about him. The County Court treasurers were not in very great favour with the Treasury, which was abolishing them as fast as it could, because they did not perform their work to its satisfaction. The registrars could not be charged with the business of auditing, which would be entirely foreign to their duties. There must be some one who would systematically bring every trustee to account, and see that his statements were rendered at certain times. When assignees managed estates they seemed to think it their duty to keep as much in their hands as possible and pay as little to the creditors; and throughout the country it was found that these gentlemen retained an enormous sum in their possession. A recurrence of that evil must be prevented, and the only way to prevent it was to have times appointed when the trustees should deliver a balance-sheet to a responsible officer, who should see whether the trustee improperly retained any funds in his own hands. The advantage of having one person who would receive all the accounts, be able to examine and compare them, and report upon any impropriety was extremely great. Every account that he received would enable him to deal more efficiently with every other, so that he would be able by the knowledge he thus acquired to detect improprieties even without receiving any particular information. It was not to be supposed that every trustee should come to London with the bankrupt's books and accounts; all he would have to do would be to prepare a balance-sheet with such vouchers as the Lord Chancellor might from time to time direct, to show that he had collected and paid away all the moneys that fairly belonged to the bankrupt's estate, just as was already done in reference to the estates of deceased persons.

MR. G. GREGORY said, he trusted the clause would be allowed to stand. He very much preferred to have one central authority, who should have the control of this department, with an undivided responsibility resting upon him. He saw no difficulty whatever in a central authority carrying on the audit of the accounts, either by having them transmitted to London, or, if necessary, by sending down one of his assistants to inspect the accounts whenever any difficulty might arise.

MR. NORWOOD said, he could not understand the jealousy which seemed to be shown of the committee of inspection, which was a committee of creditors. What objection could there be to their examining the accounts of their own servant, the trustee? The inspectors would understand the local bearings of the case, and should they differ from the trustee, the Comptroller in Bankruptcy would have to decide between them. The committee of inspection would positively be an assistance to the Comptroller in Bankruptcy. Were hon. Gentlemen aware that there had been more than 8,000 bankruptcies last year? There was no wish to do away with the proposed Comptroller, but let them assist him and save him from a great amount of unnecessary labour.

THE SOLICITOR GENERAL said, if that was the object, the Amendment was unfortunately worded. The clause was that the accounts of the trustee should be audited by an officer to be called the Comptroller in Bankruptcy. But the hon. Member proposed, instead, that the trustee, having had his accounts audited by the committee of inspection, should within ten days thereafter forward a statement to an officer to be called the Comptroller in Bankruptcy. As he understood the Amendment it amounted to this — that the accounts should be audited by the committee of inspection and afterwards re-audited by the Comptroller. What the clause proposed to secure was an independent audit, but the Amendment struck at an independent audit altogether.

MR. HINDE PALMER said, he could not help thinking the Amendment very useful. He understood it to mean that the auditor in London should act something like an Appellate Court, to decide in cases where disputes might arise. It was not meant that there should be a double audit. As to the suggestion that there might be collusion between the committee of inspection and the trustee, it had been a prominent point in the measure that the committee of inspection were to be a controlling body, and it was too much to suppose that in auditing the accounts they would be guilty of any collusion.

THE ATTORNEY GENERAL said, he considered that the object of an efficient audit would be best secured by the clause as it stood. Section 19 gave the committee of inspection full power over the trustee, who would be bound to submit his accounts for their inspection; but it was important that there should be undivided responsibility with regard to the audit, and therefore it was proposed to entrust that duty to the Comptroller in London.

MR. WEST said, he thought it absolutely necessary that an auditor should have all the original documents before him. If they were to be sent to and from London at each declaration of dividend, much inconvenience would arise, and, indeed, he did not believe that, in this respect, the Bill would be workable.

MR. HIBBERT said, it was undesirable to decide hastily on this clause, and he thought it would be better to postpone its consideration, unless the Government would accept the Amendment of the hon. Member for Glasgow (Mr. Anderson).

THE LORD ADVOCATE said, he did not think the Amendment of the hon. Member for Glasgow would work at all well; but, at the same time, it was a question whether the Attorney General might not put more in detail the particulars relating to the audit. The appointment of an officer in Scotland corresponding to the Comptroller to be appointed under this Bill had had the most beneficial results. He would suggest that it might be desirable to add to the clause words giving power to the Court to regulate, by general orders, the audit by the committee of inspection as well as by the Comptroller.

MR. COLLINS said, he hoped the primary jurisdiction would be given to Courts sitting in the country, as it would be most inconvenient to have all books and papers sent up to London.

THE ATTORNEY GENERAL said, he could not agree to the Amendment before them, but he was willing to postpone the present clause, and the subsequent clauses down to Clause 58, in order to bring up new clauses giving effect to the wish of the Committee.

MR. ANDERSON said, he thought that Clauses 19 and 54, as amended by him, would meet all that the representatives of the commercial community could desire in that matter.

MR. MORLEY said, he hoped the Attorney General would consider the expediency of having, in addition to the audit by the committee of inspection, some further supervision of the accounts by an independent local officer. There would be a difficulty in sending up all books and papers to a Comptroller in London, who, moreover, would have an enormous number of cases to deal with.

MR. MUNTZ said, that he was executor twelve years ago to a large mercantile estate, and the books and papers of that estate, which were afterwards sold for waste paper, weighed thirteen tons.

ALDERMAN LUSK said, he thought the central authority must be placed somewhere, and where better than in London, and he felt that the appointment of the Comptroller in Bankruptcy would be a most useful one.

THE SOLICITOR GENERAL said, he hoped the hon. Member would withdraw his Amendment, on the understanding that new clauses should be brought up carrying out what was desired.

MR. ANDERSON said, he would assent to this arrangement.

Amendment, by leave, *withdrawn.*

Clause 54 *struck out.*

Clauses 55 to 58 *postponed.*

Clause 59 (Court to consist of London Court and County Courts).

MR. NORWOOD said, the clause provided that the County Courts throughout the kingdom should have jurisdiction in Bankruptcy matters, except in London. He thought that the County Courts in London should have concurrent jurisdiction in these matters. He proposed to omit the clause with the view of bringing up a new one.

SIR ROUNDELL PALMER said, he entertained a strong objection to the constitution of the Court as proposed by the Bill. In Mr. Commissioner Bacon they had, as one of the London Commissioners in Bankruptcy, a gentleman of very long experience and practice, whose knowledge on the subject was, perhaps, greater than that possessed by any other man living. Having been so fortunate as to secure the services of such a gentleman, it was now proposed by this Bill to pension him off, he presumed on his full salary, for the purpose of appointing a Common Law Judge as Chief Judge in Bankruptcy. This arrangement was the more unintelligible because the business in Bankruptcy had hitherto been transacted much more in the Court of Chancery than in the Courts of Common Law. The Bill, too, proposed that the Judge appointed to this office should be relieved from the duties which he usually performed in his own Court, although the duties required from the Chief Judge in Bankruptcy might be very light. He should propose certain Amendments in the clause, which would have the effect of enabling the Government, without pensioning the best man they could find, to avail themselves of his services; and, on a vacancy arising, to assign to one of the existing Judges, either at Common Law or at Equity, the duties of this office without at the same time removing him from his own Court.

THE ATTORNEY GENERAL said, he would accept that portion of his hon. and learned Friend's (Sir Roundell Palmer's) Amendment which permitted the Chief Judge in Bankruptcy still to perform the duties attaching to his present office. The question of appointing Equity as well as Common Law Judges had received much consideration. It was now admitted that the evil of our judicial system was that separation of jurisdictions which had led to the hard line of demarcation between the Courts of Common Law and Chancery, and between those Courts again and the Ecclesiastical Courts. The object of all law reformers was therefore to fuse jurisdictions, and the Government had, in consequence, come to the conclusion that it would not be desirable to appoint anyone to this office who was not attached to one of the Courts either of Common Law or Equity. The Lord Chancellor had considered whether the Vice Chancellors could perform this work, but he came to the conclusion that they were too much occupied already to allow of their undertaking these duties, while there did not appear to him to be sufficient reason for the appointment of a new Vice Chancellor. In connection, however, with the Election Petitions three new Judges had been recently appointed, and their time, with the exception of those periods when Election Petitions required to be tried, was comparatively unoccupied. It was therefore thought advisable to make this appointment from among the Common Law Judges, a plan which would be attended by saving to the country. Power was taken to appoint another Judge if it was found necessary, but he hoped it would not be required. Again, it was proposed, for the first time, to introduce into the Court of Bankruptcy the principle of trial by jury. In order to prevent delay, if upon a trader debtor summons the debt was disputed, the Bankruptcy Judge might immediately summon a special or common jury and proceed to try the case. Somehow or another, though the system of trial by jury was not entirely unknown in Courts of Chancery, it had never flourished there. In fact, he was told that one of the Vice Chancellors had lately ordered the jury-box to be removed from his Court as a nuisance. It would not be fair to call upon Mr. Commissioner Bacon—though the Government did not fail to recognize his abilities and talents—at his advanced age, to inaugurate an entirely new system of practice.

Mr. HIBBERT said, the Government appeared to be animated by extravagance on the one hand and severe economy on the other, for, while they rejected the services of existing Commissioners in London, they proposed to relegate the management of Bankruptcy business in the country to the County Court Judges, without making any addition to their salaries. He thought that the case of the County Court Judges required to be reviewed, as the position they now occupied was not what it should be, considering the important business they now had to perform, having Equity and Admiralty jurisdiction. He thought the Bankruptcy business of the metropolis might be given to the County Courts, and the appellate jurisdiction to the Common Law Courts.

Mr. Serjeant SIMON said, he did not see the necessity for appointing a new Judge at all. There was little appellate business now, and he doubted whether it would be increased by the Bill. The Chief Judge would therefore be a mere Commissioner in Bankruptcy under another name, and the Judges of the Superior Courts would not thank the Government for putting one of their number in such a position. The present tribunal for purposes of appeal could not be improved, and as to the framing of new rules and orders, no one could do that better than the present appellate Judges—the Lords Justices. To appoint a Chief Judge in Bankruptcy was a waste of judicial power as well as of money, but if such an appointment were made—though himself a practitioner in the Common Law Courts—he thought if any preference was shown in the matter, the Judge in Bankruptcy should be taken from the Chancery Bar. He should not, however, oppose the clause, because he should be reluctant to do anything to impede the progress of the Bill.

Mr. RUSSELL GURNEY said, he considered that Mr. Commissioner Bacon was the fittest person for the new office, and that learned Gentleman was certainly not unversed in trial by jury, as he had had at one time a large business at some of the most important sessions in the country. There was considerable danger of overworking the County Court Judges, and thus depriving their Courts of the character of being the poor man's Courts, where speedy justice could be had. He could not help thinking it far better to increase the number of County Court Judges than to increase the salaries of the present County Court Judges. Registrars and other officers would have to be pensioned, and their services and experience might be retained and a saving secured by making them Assistant Judges.

Sir FRANCIS GOLDSMID said, he must protest against the restriction in the selection of the Chief Judge as an unfair exclusion of the Chancery Bar, which amounted to a stigma upon those who were by legal training and experience quite as qualified to administer

Bankruptcy Law as the members of the Common Law Bar.

THE SOLICITOR GENERAL said, he must remind the Committee that they were really discussing the 61st clause on the 59th clause. The creation and constitution of these Courts was the point under discussion. But referring to what had been said by the hon. and learned Member for Richmond (Sir Roundell Palmer), the question was whether one of the existing Common Law Judges or a Commissioner in Bankruptcy should be made the Chief Judge of the Bankruptcy Court. There was no intention to cast any slight on Mr. Bacon. He had no doubt the learned Commissioner would be able to discharge the duties with satisfaction to everyone, but the question was, how they could make the best use of the present judicial force of the country. The Government would have no objection to say the Lord Chancellor might appoint a Vice Chancellor as the Chief Judge in Bankruptcy; but the time of the Vice Chancellors was fully oc-occupied, while there were three Common Law Judges who had practically nothing to do. The election petitions having been disposed of, they were enjoying leisure; and surely it was better to avail ourselves of their services than to appoint a new Judge. It was now deemed unadvisable to invest Judges with exclusive jurisdiction, as tending to narrowness, and it was generally held that the administration of the whole law ought to be committed to all the Judges equally. It was a question between the appointment of a new superior Judge and the utilization of the existing superior Judges.

MR. G. GREGORY said, the issue raised was wider than that; it was a question whether an able man should be turned loose with a pension or his services should be utilized?

SIR ROUNDELL PALMER said, it was unnecessary for the Government to disclaim intending any slight upon the Court of Chancery or on Mr. Commissioner Bacon, who was not so superhuman that he would be indignant at having his full salary forced upon him with nothing to do. Indeed, Mr. Bacon would, no doubt, as far as he was personally concerned, feel his one year's services very highly appreciated by the handsome proposals made by the Government. It was in the public interest alone that he (Sir Roundell Palmer) objected to the proposed arrangement. With regard to the three unoccupied Judges in the Common Law Courts, it was a poor excuse for paying off the best man at the country's command, without getting the benefit of his services, to say that there were three Common Law Judges who had nothing to do now that the election petitions were over. It would be some comfort to the Solicitor General, however cold, that if the recommendations of the Judicature Commission were carried out these three Judges would have work to fill up their spare time.

MR. MORLEY said, the London traders would prefer having the clause as it stood at present. They did not wish to be sent to the County Courts in the various metropolitan districts. He hoped the Government would not be induced to give up in any degree the principle of appointing a Chief Judge. With reference to the appeals to the Lords Justices, it was impossible to make one under a cost of about £60.

MR. JESSEL said, he thought it right, from his long professional acquaintance with Mr. Commissioner Bacon, that he should bear his humble testimony to the great qualifications of that gentleman for the office of Chief Judge in Bankruptcy, qualifications greater than almost any man at the Bar could be expected to possess, owing to his long career in the practice of the Law of Bankruptcy, and to the fact that he was acquainted with jury cases as well as with equity. Now, to put such a man on the shelf after one year, and give him his full salary, was the very reverse of economy, while, on the other hand, by securing him at his present salary we might secure the services of the best man, without its costing the country a single farthing. It would be most desirable that he should act as a Judge of the First Instance. If we were to have a Court of Appeal it would be better not to part with the present Court. The members of the Court of Appeal in Chancery had not sufficient occupation to employ them during the ordinary sittings of the Court, and, not wishing to be idle, they filled up their time by attending the judicial proceedings of the Privy Council. The number of bankruptcies was about 9,000 a year, of which 6,000 were pauper bankruptcies, from which no dividend whatever was paid. Now, these pauper bankruptcies were caused by allowing men to make themselves bankrupt, and as that power would be taken away the bankruptcies would be reduced to 3,000, or even much less, because a vast number of the latter class paid so small a dividend that no hostile creditor would ever present a petition of adjudication. The amount of business, therefore, thrown on the Chief Judge, instead of being too large for one man, would, he believed, be less than an ordinary Judge would be able to go through.

Mr. ASSHETON CROSS said, he wished to recall the attention of the Committee to what fell from the right hon. Gentleman the Member for Southampton (Mr. Russell Gurney). Was there not some danger, if we put this extra business on the County Courts—if they were to have an equity jurisdiction, an Admiralty jurisdiction, and a Bankruptcy jurisdiction—that their functions as tribunals for dealing with small debts would be materially interfered with? It seemed to him also to be a matter of much importance whether the Government meant to take in hand the Report of the Judicature Commission, and, if so, whether such a change might not be made in the whole judicial arrangements of the country—which he believed were radically wrong—that this Court might have to be re-modelled again? He would suggest that as another reason for not dispensing with the services of Mr. Commissioner Bacon.

The ATTORNEY GENERAL said, that we must have this jurisdiction administered locally, and, if locally, in what other Courts than the County Courts? It was proposed originally to retain the district Bankruptcy Courts, but he had received several remonstrances against it, and, therefore, he adopted the County Courts. In regard to the salaries of County Court Judges, it was better to wait until it was seen whether they would have more work before raising them; for one of the advantages of this Bill was that it would transfer a good deal of the Judges's present work to the creditor. He did not think that this question could wait for the Report of the Judicature Commission. There was, he believed, a general concurrence of opinion that it was desirable to have a superior Judge, and they were all agreed that they must get the best Judge they could. Her Majesty's Government, on economical grounds, had proposed one of the Common Law Judges for the office, and he had no doubt that any one of them that might be selected would discharge the duties with eminent abitity. But he never meant to say that Commissioner Bacon was not a very eminent Judge, and he felt that the general impression of the Committee was more in favour of Mr. Bacon than of a Common Law Judge. He entirely concurred in the remarks made by his hon. and learned Friends the Members for Richmond (Sir Roundell Palmer) and Dover (Mr. Jessel); and it appeared to him that they could not do better than make Mr. Bacon the first Judge. If his hon. and learned Friend the Member for Richmond would permit him to postpone that clause to which he referred, he would consider what arrangements should be made. With regard to the proposal to make every County Court in London a Bankruptcy Court, there were several fatal objections to that; and among those objections was the fact that the London County Courts were too much occupied already. What was wanted in London was a large Court of Bankruptcy with a considerable area of jurisdiction, and also with, he hoped, a considerable degree of authority, in order to give the tone, if he might so express himself, to the Courts dealing with Bankruptcy business in the country. Uniformity of practice in regard to Bankruptcy law was required; and, to what tribunal were the Courts in the country to look for guidance and authority, unless it was to the chief Court in London? That appeared, to him, to be a very essential provision of the Bill, which he could not consent to part with, and he trusted that his hon. Friend (Mr. Norwood) would not press the omission of the clause.

Mr. HINDE PALMER said, he rejoiced to think that the hon. and learned Member for Richmond (Sir Roundell Palmer) was in a position to do what no one else in that House could so well have done—namely, to bring before the Committee the name of a learned Friend of his, whom he had known long, and who was a man of distinguished ability and great experience in the branch of legal jurisdiction to which the Bill referred. With regard to the Amendment immediately before them, he hoped it would be withdrawn.

MR. NORWOOD said, he had not received sufficient encouragement to induce him to press his Amendment, and he would leave the responsibility connected with that matter with the Government.

MR. MONTAGU CHAMBERS said, he could not assent to what had fallen from the Solicitor General, who seemed to assume that it was generally agreed that three of the eighteen superior Judges were not practically useful, and that therefore it would be a great saving if one of them were appointed temporarily or permanently—while continuing a member of the superior Court to which he belonged—to be the superior Judge in Bankruptcy. He denied altogether that any of those Judges were practically useless, and maintained that, if their judicial duties were re-arranged so that the eighteen Judges could devote their attention to the business which was required to be done in all the superior Courts, there would not be too many. Let them look at the Probate and Divorce Court, and why did not the Government propose, if they thought any of the Judges had not sufficient employment, that some assistance should be rendered to the Judge of the Probate and Divorce Court—where there was a great arrear of cases—by the Judges of the superior Courts? His own clients had complained of it as most unsatisfactory that in what ought to have been the full Court—Common Law Courts, sitting in Banco—only two Judges were present; and the answer usually given to that was that they could not have the full Court constituted with four Judges, because the other Judges were otherwise engaged. He concurred with the hon. and learned Member for Richmond (Sir Roundell Palmer) in thinking that it would be desirable to have the highly competent gentleman who had been referred to at the head of the chief Court of Bankruptcy in London; and he believed that a slight addition to that gentleman's present salary would satisfy him.

MR. COLLINS said, that the Judges who had been engaged in trying election petitions during the last six months would have little or no corresponding work to do until another General Election was held. We should consequently have a surplus staff, and it would be a question whether the staff of the superior Courts ought not to be reduced.

Clause *agreed to.*

Clauses 60 and 61 *agreed to.*

Clauses 62, 72 *postponed.*

Clauses 63 and 64 *agreed to.*

Clause 65 *struck out.*

Clauses 66 to 71, 73 to 87 *agreed to.*

Clause 88 (Sequestration of ecclesiastical benefice.)

MR. ANDERSON moved, in page 33, line 15, after "as the," to leave out to end of clause, and insert "Court may direct."

MR. MORLEY said, it had been suggested that a clergyman becoming bankrupt should vacate his living.

MR. STEPHEN CAVE thought that would be a great hardship, especially a clergyman who had become bankrupt through misfortune. It would be punishing both their families and their creditors. The Bishop was a better judge than the Court could be of the wants of a parish.

MR. RYLANDS said, he would give his support to the Amendment.

MR. WEST said, he hoped the Amendment would not be pressed.

MR. HINDE PALMER said, he thought that the law of sequestration should be revised; but until that was done the clause ought to remain as it stood.

MR. ANDERSON said, that his Amendment merely empowered the Court, instead of the Bishop, to say what portion of a bankrupt clergyman's emoluments should go to his creditors.

MR. AYRTON said, he believed that Bishops were anxious to be rid of the power they at present possessed in case of bankrupt clergymen; but, until the House could deal with the law of sequestration, it would be better to leave the clause as it stood.

MR. STEPHEN CAVE reminded the Committee that bankruptcy, especially when not caused by extravagance, did not necessarily unfit a clergyman for the performance of his duty.

MR. MUNTZ said, he was glad to see that the Committee had some commiseration for a bankrupt clergyman, although the Bill was one of Pains and Penalties from the beginning to the end. On the Report he hoped some more compassion would be shown towards those of the laity who had become bankrupt through misfortune.

MR. BARROW said, he was of opinion that the Bishops would be the best judges of the amount which a bankrupt clergyman could spare out of his living to meet the demands of his creditors.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 89 and 90 *agreed to.*

Clause 91 (Avoidance of voluntary settlement).

Mr. MORLEY moved, in line 38, after "settlement," to leave out "made before and in consideration of marriage, or." His object was to prevent a man making a settlement on his wife out of property not belonging to him.

Mr. JESSEL said, he did not often differ from the hon. Member (Mr. Morley), but he really thought that this Amendment would be unjust. Marriage had always been held to be a valuable consideration; and, in point of fact, a woman gave what far transcended in value any amount of goods delivered. It would therefore be most unfair to say that after she had made a bargain which could not possibly be undone she should be deprived of her settlement because her husband had become bankrupt within two years after the marriage. The wife was as much entitled to consideration as any creditor. But though he (Mr. Jessel) maintained that property actually settled ought to be held sacred, he agreed that the same respect ought not to be shown to mere covenants to pay money.

Mr. RATHBONE said, he entirely agreed in what had been said by his hon. Friend who moved the Amendment (Mr. Morley). There were cases where men made large fortunes out of the last crisis by this process of making settlements. He therefore intended to move a similar Amendment of which he had given notice.

Mr. MORLEY said, he thought that a bankrupt's creditors ought, at any rate, to have the power of investigating his solvency at the time he made the settlement. He knew a man who was indebted £10,000, and had assets worth £8,000; he settled upwards of £2,000 on his wife, and to that extent injured and robbed his creditors.

Sir ROUNDELL PALMER said, he must oppose the Amendment. It would not be at all for the benefit of the community if unreasonable impediments were thrown in the way of bachelors engaged in trade contracting marriage. If a man made a marriage settlement in contemplation of bankruptcy, if he contracted marriage in order to make a settlement, it would be fraudulent under the statute of Elizabeth.

Mr. MORLEY said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. RATHBONE moved an Amendment respecting post-nuptial settlements which, he said, was not open to the objections raised against the previous Amendment.

Moved, "That the Chairman do report Progress."—(*Mr. Hermon.*)

House *resumed.*

Committee report Progress; to sit again upon *Tuesday* next, at Two of the clock.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SALISBURY MAGISTRATES.

OBSERVATIONS.

Mr. P. A. TAYLOR: I rise, Sir, to ask the kind attention of the House while I bring before it a magisterial decision which, from its extraordinary and unusual harshness and severity, has excited feelings of great surprise wherever it has been read or heard of, and has naturally produced a much greater feeling of bitterness in the country side where it took place. Circumstances, which I need not now advert to, have prevented me from bringing this subject previously before the House. I am quite aware a long time has elapsed since the occurrence of this case; and I should not, perhaps, have brought this matter forward now, after so great a lapse of time, but for the answer given me by the right hon. Gentleman the Secretary for the Home Department to a question which I put to him on this very subject. There is one element in this affair which makes my task a peculiarly irksome one, and that is that, although my object is to point to a system of summary judicature which I think an absurd one, I have to point by way of illustration to a particular case and a particular individual, and in criticizing his conduct before the House I may expose myself to the suspicion of introducing an element of personality. But nothing, Sir, could be further from my wishes than to do that, and I can with confidence assure the House that this is a matter about which I could not possibly have the slightest personal feeling. There is another consideration somewhat of the same kind in which, I have no doubt, the House will go with me, and that is, that the noble Lord whose conduct I am about to criticize bears a name which belonged to one, whose death, since I put this Notice on the Paper, has been a national loss—one who will ever be regarded by the House and this country with respect and admiration as the consistent advocate of Liberal principles and political progress through a long life that was above suspicion—I mean the late Earl of Radnor. I am quite aware, Sir, that on account of the course I took some two years ago, with reference to magisterial decisions, caused the hon. Member for Oxfordshire to say I was going to occupy the place of the late Mr. Duncombe, and that I was the "grievance monger" of the House. But if there were no grievance to amend, no grievance could be spoken of; and perhaps the only reason why I am pointed out as a "grievance monger" is that the grievances I have pointed out are the grievances of humble persons who are not too largely represented. The story I have to tell is this—On the 27th of March last three children, Ann Hay, aged fourteen, her brother, George Hay, aged eight, and Lydia Grove, aged eleven, were brought before the magistrates at Salisbury, charged with stealing rape greens, of the value of 1*s*. Viscount Folkstone presided on the bench. Mr. Good did not press for a severe punishment. The father of the Hays said he had only been in the city four months. He knew nothing of his children getting greens. Lydia Grove said a man told them they might pick the greens. The bench considered the guilt of the children proved, and the two oldest were sentenced to pay a fine of £1 and costs, or go to prison for a month. Still the majority of the magistrates could not stomach sending the youngest child to prison. Lord Folkestone expressed his sorrow at having to withdraw the little boy's sentence, adding that he thought it would do the little child good to go to gaol with the rest. The severity of the magistrates at Salisbury excited considerable indignation in the public mind, and some person wrote a letter to the *Daily Telegraph*, inclosing a cheque for £4 to defray the fines and costs awarded against the children. The cheque was sent to Salisbury, but it was then found that a Mr. Green, of Wilton, had paid the fines and costs, and the children were liberated. Lord Folkestone said that the superintendent of the city police, when sent for and questioned, gave the defendant Grove a very bad character. But, so far from this being the case, it was distinctly stated that the boy and his sister were unknown to the police at all, and that their parents had only been residing in Salisbury for five months. Of the other girl, Mr. Superintendent White said her character was indifferent; but the only allegation in support of that was that she had been seen begging about the streets, but even she had never been in the custody of the police upon any charge whatever. It seemed, therefore, to me, Sir, that this was a case so extravagantly severe that I should be fully justified in asking a question with respect to it of the right hon. Gentleman the Secretary of State for the Home Department. Well, Sir, I did not expect a great deal from the right hon. Gentleman, but I certainly thought he might say—"It does seem a little hard"—I did think he might say—"I will make an inquiry"—I did think he might say, "On the whole the thing was quite right, but we hope it will not occur again." But not one word did he say in alleviation of the matter, and, having taken it up once, I felt bound to bring the whole subject under the notice of the House. Well, Sir, what did the right hon. Gentleman say? I must say he used that sort of phrase which is common enough upon the Treasury Bench, and which scarcely conveys any meaning—that kind of phrase which keeps away altogether from the real point at issue. The right hon. Gentleman said he had received—

> "No representations on the subject. It was neither the custom nor the duty of the Home Secretary to animadvert on the decisions of Judges or magistrates, unless representations were made with respect to them, and then, if the representations appeared worthy of attention, inquiries were instituted. In the present case no representations whatever had been made."

Now, it could hardly be necessary for a Cabinet Minister to rise from the Treasury Bench to tell that House that—

> "It was neither the custom nor the duty of the Home Secretary to animadvert on the decisions

> of the Judges or magistrates, unless representations were made with respect to them."

Now, it had been presented to them and to the House, even by so humble an individual as I am. But did the right hon. Gentleman think he was likely to hear of the matter from the parties who had been injured? Was it likely that the friends of the wretched peasant children who had been imprisoned for stealing a handful of greens would appeal against the decision of the majestic Salisbury bench of magistrates who had become the terror of the country side? Will the right hon. Gentleman say there was nothing wrong in sending children of that tender age to prison? The noble Lord said he thought the excuse made for not sending the boy to gaol would only tend to increase the number and decrease the age of the green stealers in the neighbourhood. I declare that, if such a view be right, there is no reason why babies in the arms should not be committed for aiding and abetting their mothers for stealing a handful of greens. I appeal to this House and to the country, whether the mere fact of sending children of such an age, for such a crime, to gaol, is not an infamy and a disgrace to our civilization? I believe that in no other civilized country—indeed, I might add, *a fortiori*, in no uncivilized country—could such a thing have taken place; and I feel confident that in any other part of Christendom the greatest astonishment would be felt at this exhibition of "Justices' justice." We are living in times now, Sir, when men profess to wish to see the country governed on what may be called the flesh and blood principle, and that every Englishman must be regarded equally as our fellow-creatures. Let me ask how hon. Members of this House would feel if this matter personally concerned them? Let me put such a case as this—There are many Members who have at home lads of eight or ten years of age, and are those little curled darlings immaculate? Are not many of them full of fun and mischief? Did they never break down a hedge, or take a bird's nest? Did they never take an apple from an orchard, or take an egg from a nest? What would their feelings be if they found their little ones taken up for such offences? How would they feel if some Salisbury Rhadamanthus had sent them to gaol? I should not like to be the convicting magistrate the next time parents, under such circumstances, met me in the hunting-field or the market-place. Let us just think of this Salisbury justice lecturing this child of eight years old in this way—

Mr. P. A. Taylor

> "If you are caught at this sort of thing again you will go to gaol, and perhaps get a flogging into the bargain. You recollect that, and don't go picking people's greens and stealing them."

Now, Sir, this bench of magistrates are apparently not actuated in this or any other case by any feeling of spite or malice against the individuals, but they have elevated severity into a system and established on that country side something like a reign of terror. I have had a number of cases connected with the Salisbury Bench brought under my notice. I am aware that it is perfectly impossible to form a judgment at a distance as to matters of fact in such cases, and I shall, therefore, only mention to the House those in which the matter of fact is admitted, and then the only question will be as to the severity of the punishment. The only exception is this case—Two years ago that bench of magistrates sent to prison two poachers. In that it appears they got hold of the wrong man, and an *alibi* was proved at the trial. The evidence was strong, and it seemed impossible to resist it; but nothing could move the bench of magistrates to keep the man from their punishment, and even when some other men who were committed to prison confessed the crime, it was a long time before the necessary communications were made to the Home Office. On the 5th of September, last year, George Clarke was charged with stealing an apple of the value of ½*d.* The prosecutor said he did not press for, or wish any severe punishment to be inflicted, but he wished to convince the people that they had no right to his fruit. Lord Folkestone said—

> "The defendant must have known he was doing wrong, and cases of this description come before the Bench year after year; slight punishments have been inflicted, but the people take no warning, and they will not be convinced till they get it pretty sharp. The defendant was liable to three months' imprisonment; but as Mr. Waters strongly recommended him to mercy, the sentence was mitigated to three weeks with hard labour."

In another case, two men were convicted of pointing an old gun, which would not go off, at a cock pheasant on the side of the road. They attempted to fire at it, but the gun would not go off; they tried it a second time, but still the cap snapped, and then the men went off. The keeper, who was hiding, and who said he saw them distinctly, thought they had gone for more powder, and determined to watch until they came back; but, finding they did not come back, he went to the police office and charged them with the offence. But there was a second keeper hiding in another place, unknown to the first keeper, and while one of these swore that it was light enough to identify the prisoners, the other swore that it was so dark that he could not see their faces. However, for the crime of pointing an old gun at a cock pheasant, the men were sent to prison with hard labour. Of all the sacred birds and beasts worshipped in India or Egypt, not one of them was afforded so much protection, care, and consideration, as was the English cock pheasant. John Elkins was also charged in January with poaching; four pheasants were found on him, and it was acknowledged that he was a notorious poacher. He was sentenced to a term of six months' imprisonment, and called upon to find sureties for good behaviour for two years; or, in default, to be sent to prison for one year. There could be no doubt he was a poacher, but the only remark I have to make upon the sentence is this, that he might have flogged half-a-dozen women within an inch of their lives, and not have been sentenced to so severe a punishment under the present law. We have been told over and over again that if the game laws were to be done away with, the country gentlemen would cease to reside on their estates; that they are the glory of the country side, and their presence is always hailed with pleasure; but if all the country magistrates and landlords were like those who sit upon the Salisbury bench — which thank heaven they are not—I doubt very much whether the country generally would rejoice in the presence of the landlords any more than they seem to do at Salisbury. They may be very ungrateful, in which case hon. Gentlemen would perhaps address them in the words of Virgil—

> "O fortunatos nimium, sua si bona norint,
> Agricolas!"

My Lord Folkestone says, that mild punishment has been tried without effect, and that is the reason he resorts to extraordinary severity. But really, Sir, country gentlemen seem to still cling to the superstitions of their ancestors, who used to hang for every trivial theft, and to believe that severity of punishment was the best means of putting down crime. That theory, or superstition if you will, has passed away entirely from the minds of all except our country justices; and it is now generally admitted that if the punishment of a crime has no reference to the demerits of the party, and is out of all proportion to the equity of the case, you eliminate from the minds of the class suffering such punishment those elements on which alone any morality, worthy of the name, can be based. And the punishment appears to be not so much the act of a judicial tribunal, acting with a strict regard to justice, but as an act of retaliatory vengeance on the part of one class towards another, and which produces in that class a feeling with regard to these offences that their repetition is not so much an offence against justice and equity as of vengeance against the common enemy, which they will carry out whenever time and opportunity permit them to do so. That, Sir, is the case which I have to bring before the House, and I thank the House for having listened with such patience to views which I venture to say cannot be very palatable to many hon. Members present. I have not ventured to ask the House to agree to an Address to Her Majesty, praying Her that Lord Folkestone may be removed from the Commission of the Peace; and for this simple reason, that in a House constituted as this is there would be very little chance of my carrying such a Motion, and more especially as the Home Secretary seems to think that the fact of two young children being subjected to the contamination of a prison for a month is a subject not worthy of his consideration. I very much doubted whether it was not my duty to make such a Motion, and if there had been the smallest chance of success I should have done so. I do not wish, Sir, on the other hand, while complaining of a wrong and an injustice, to do an injustice to the noble Lord against whom I should have made the Motion. It is not given to every man posesssing wealth, station, and dignity in this country, to possess those qualities which constitute the qualification of a Judge—tact, temper, and discrimination—which are nowhere more necessary than when men have a summary jurisdiction conferred upon them. For my own part, Sir, I should like to see magistrates appointed for the same qualities for which Judges are appointed. As to the Judges, everybody admits they present an extraordinary fitness for the offices they fill. They are appointed and are apart from all political or social influences, and their decisions are accepted with respect and obeyed with reverence. But it is not so, Sir, with respect to our country justices; for, if a man be a landowner of great influence in the county, that is held sufficient to constitute him a judge over his fellowmen; and when once appointed, it follows that he can never be removed from his position, unless for some gross misconduct, or some malicious attack on the rights and liberties of people subjected to his power. I have not the slightest doubt that Lord Folkestone thought he was doing his duty; but all I have to say is, that when he deals out such severe punishments for such minor offences as this, he is, in my opinion, no judge. If, therefore, I have not ventured to make a Motion on this subject, but have simply contented myself with stating the facts of the case, my object in doing so is to show that whenever there is a sentence of such extreme severity, so unproportioned to the offence as occasionally shocks the ears of the country, there will be at least one Member, however humble, who will think it his duty to hold up such conduct to reprobation, in this, the great inquest of the nation.

Mr. BRUCE said, that he was sure no one would blame any hon. Member who might feel it his duty to bring before that House any instance of undue severity. Any Member who did so, with strict regard to justice, not only for those whose cause he undertook, but also for those whose conduct he impugned, would receive the sympathy and approval of the House. But when any hon. Member took on himself to assail the conduct of others, it was his duty—and he was sure his hon. Friend (Mr. P. A. Taylor) would admit the propriety of the remark—to ascertain well the whole facts of the case, and, having ascertained the facts, to detail them fully to the House. Before proceeding to mention what the facts were on which his hon. Friend had animadverted, he must beg to state that it was no part of his duty to revise all the sentences passed on prisoners which he might observe in the newspapers, and which might appear on the face of them to be unreasonable. That was no part of his duty, unless cases were brought regularly before him which appeared to require revision. Nothing would be easier—for the Home Office was open to all—than for the friends of these poor children, for instance, or for any lover of humanity and justice in the neighbourhood of Salisbury having a knowledge of the facts, to have brought them before him; and he need not give the assurance that they would have received as much attention on his part as when they were publicly stated in that House. His hon. Friend had brought a charge, not only against Lord Folkestone, but against the bench of justices. He compared the offence committed by these children to that which perhaps no hon. Member present had himself in his youth committed, but which they must all have known some one to have committed—stealing an apple from an orchard; and he said how cruel it was for such an offence to take a child from the home of its virtuous parents and expose it to the contamination of a gaol. Now, what were the facts? The case, as stated, was that for stealing out of a field a few greens, valued at 1*s*., two children—one fourteen and the other eleven—had been fined 20*s*., and in default committed to prison for one month. The law had been changed with respect to stealing such articles from fields, and he quite agreed in the change in the law. Such an offence was no longer a felony, but a trespass. In many cases the trespass was of an insignificant character, as the taking of a turnip from a field; though he thought anyone's moral sense must be offended when they saw a labourer go into a field and steal turnips without being punished. But in this case the real facts proved before the magistrates were these — In certain fields where greens were grown, at some distance from Salisbury, there had been wholesale pillage; a policeman was set to watch, and he detected these children carrying off 1½cwt. of greens. They had brought out of Salisbury, a distance of a mile, a sack and three wraps which were all full. The quantity was so great that, according to the evidence given, the children could not have carried the load into the town; they must have been taking it to some place of deposit, where they would be met by some one to convey the burden into Salisbury. Under the circumstances it appeared next to impossible that the parents of these children had not sent them out for the purpose of pillage. It was not likely that the children would have taken the sack and wraps of their own mere notion to bring back 1½cwt. of greens, their parents being ignorant of the fact. It was proved before the justices that these children had been in the fields on previous days stealing greens; complaints were made of the heavy losses sustained by the farmers, a policeman was in consequence placed to watch, and it had since been ascertained that one of the girls had been in the habit of selling greens at various places in Salisbury. The offence therefore was not that of stealing a handful of greens, but 1½cwt.—the offence having been frequently committed by the same parties, and committed, in all probability, by the authority of their parents. When a heavy fine was inflicted on children it was not intended as a punishment for the children but for the parents, with whose knowledge the offence must have been committed. That he assumed without any knowledge of Lord Folkestone or any other member of the bench. His hon. Friend had inveighed against the sentence so passed on these children, and he wished some other punishment could be devised for the offences of children than imprisonment; but he could not believe that children would suffer more contamination in prison than if they continued to reside with such parents as they had the misfortune to have. It should also be remembered that punishment was imposed with a view to deter others from the commission of the same offences. It was no part of his duty to defend the conduct of magistrates. Not only justices of the peace, but the highest Judges of the land had occasionally laid themselves open to animadversion for the sentences they pronounce. *Quot homines, tot sententiæ.* Nothing could be more startling frequently than the apparent inequality of sentences where offences appeared almost identical. He was entirely unacquainted with the other facts which his hon. Friend had brought forward. It was possible that the Justices of Salisbury had occasionally inflicted punishments of great severity; but, in the present case, he could not say, considering what the laws of the country were, considering the manner in which they were generally administered, that the punishment was in itself excessive for the offence. He must assume that the justices were satisfied, from the evidence, that these children had not only committed the offence, but under circumstances of premeditation, not for the first time, and that they also considered that the fine inflicted was for the purpose of reaching the parents. The sentence pronounced was intended as an example in the neigbourhood, and he could not think that the warning of such a punishment would be without its due effect.

MR. BOUVERIE said, his right hon. Friend the Secretary of State for the Home Department had stated with great truth the facts of the case, and he was in a position to mention some additional facts which would illustrate the rashness of the hon. Member for Leicester (Mr. P. A. Taylor) in coming to the conclusion he had announced as to the manner in which those justices had discharged their duty to the public. He thought the punishment awarded for the offence a very proper one. The practice of stealing greens in the neighbourhood of Salisbury had been carried on to a very great extent, and great complaint was made by the owners of those small garden allotments, a class of humble men, of which the hon. Member for Leicester set himself up as the special guardian. They were the great sufferers. These parties were regularly plundered, and the greens were taken to Salisbury and sold in the market. It was no doubt hard to send children to prison for a month, but considering the example they must have set before them at home, it would, perhaps have been better if they could have been sent to prison for a longer period and then to a reformatory, where they would have some chance of learning industry and morality, instead of being made the instruments of wicked and unnatural parents for purposes of plunder. Whatever might be the case with regard to the children the sympathy of the House would be ill bestowed on such parents. He could not understand why the name of his noble Relative should have been brought forward so prominently on this occasion, as if he were the sole responsible person, for besides Lord Folkestone there were present on the bench seven Wiltshire gentlemen as intelligent and independent as could be found in any other part of the country. In fact, as to part of this very case, the view taken by Lord Folkestone had been over-ruled by a majority of those on the bench with him. With regard to the other cases which the hon. Member had brought forward he had given no notice of them. He (Mr. Bouverie) knew nothing of them. The hon. Member told some story of a cock pheasant, but if it had been about a cock and a bull, it would, perhaps, have been more appropriate. They were brought forward, he presumed, to give weight to the case against the magistrates in the present instance. The hon. Gentleman who made this charge started with the assumption that the bench of magistrates were disposed to deal harshly and unfairly towards the unfortunate people brought before them; but, for his own part, he believed nothing of the kind. According to his experience, he came to the conclusion that, though, like all other men, justices of the peace were not perfectly immaculate, there was on the whole a determination on their part to do justice by those whose cases they had to deal with. The hon. Member for Leicester probably had not much experience of country magistrates; but his own experience had taught him that the rural population had the most perfect confidence in the fairness of the bench of magistrates; and if, as some improvers desired, stipendiary magistrates were substituted for the unpaid country justices, he doubted whether they would enjoy the same amount of confidence. The hon. Member had done well in not making a Motion on the subject, because the facts adduced established no case of accusation against the magistrates, who simply did their duty in what he must call a most trumpery case; and he trusted that magistrates would not be deterred from acting according to their own sense of duty by such charges of oppression, unfairness, and iniquity as had been made in the present case.

Mr. ASSHETON CROSS said, that when small children were brought up before magistrates it was a difficult matter to know how to act for the protection of the public without dealing harshly towards the children. He believed that the best thing they could do with such children would be to give them a good whipping and send them home, but the magistrates had no power to order that punishment. Where there was an honest and industrious parent they might get him to give the child a whipping; but in many cases the fault was more the fault of the parent than the child, and in such cases he should like to punish the parent rather than the child. He thought it would be an advantage if, in cases like that brought before the House, magistrates had the power to send the child to an industrial school, and to compel the parent, when able, to pay the expense of the schooling.

Mr. GILPIN said, he could not consent to a case of this kind being treated in the way the right hon. Member for Kilmarnock (Mr. Bouverie) had treated it, who called it a trumpery case. Very few cases could be more deserving the attention of the House than the present, when brought forward by an hon. Member who had taken pains to inquire into the matter, believing it to be one of oppression on the part of country magistrates. He was not prepared to agree with the hon. Member for Leicester in his wholesale denunciation of country magistrates, but in that House, which was formed, it might be said, of country magistrates, he was unwilling that the only voice raised on behalf of these poor children should be that of the hon. Member for Leicester. If the children had acted under the direction of the parents, why should not the parents, instead of the children, be punished?

Mr. ANTROBUS said, that if the hon. Member for Leicester (Mr. P. A. Taylor) had properly inquired into the case, he would have found that it was not a small quantity of greens that was taken for the purpose of making a wretched supper, but that as much as a hundredweight and a-half was stolen; and it was not right to accuse the magistrates of harsh conduct for the course which they pursued. The case of apple stealing to which the hon. Member alluded was one of deliberate premeditation, and not one of merely jumping over a hedge to get an apple on the spur of the moment.

NAVY—ADMIRALTY CLERKS,

RESOLUTION.

CAPTAIN GROSVENOR said, he rose to call attention to the position of certain Third Class Clerks in the Departments of the principal Offices of the Admiralty. About ten years ago the flow of promotion began to slacken in the Admiralty, and these third-class clerks found themselves in a disadvantageous position as constrasted with that of other civil servants. From time to time memorials were in consequence addressed to the principal officers. In 1865 a committee of experienced persons in the Admiralty and Treasury was appointed to consider this question. They reported in favour of an increased scale of pay, and, in December of that year, effect was given to that Report by an Order in Council. There was joy among these third-class clerks when this Order was promulgated, but cruel disappointment awaited them, for the benefit of that Order was restricted, owing to the construction put upon it by the Treasury. The question, however, was not as to the intentions of the Treasury expressed in any letter or Minute, but as to the benefit actually conferred by the terms of the Order in Council. The whole Papers had been submitted to an eminent Queen's Counsel, who was of opinion that the Order of February 16, 1866, if acted upon according to its terms, conferred upon all third-class clerks then in the service whether of eight years' standing or not, a right to have their salaries immediately paid to them according to the new scale; and Counsel further stated that, in his opinion, it was not competent to the Treasury to place on the Order in Council the qualification of which these clerks complained. The learned Counsel concluded by stating that the case of the aggrieved clerks was not within the cognizance of the law courts, and that all those individuals could do was to forward a respectful memorial containing a statement of their grievances to the authorities. That opinion was signed "John Duke Coleridge," and the advice it contained had been followed, but without result. The right hon. Gentleman the first Lord of the Admiralty might possibly urge, as the reason for his inaction in the matter, the large economical reforms which were about to be introduced, but this was a question of principle—of right or wrong—and he did not believe in an economy which was based upon the ruin of good faith and of fairness. He had no hesitation, under the circumstances, in asking the right hon. Gentleman to agree to the Resolution of which he had given notice.

LORD HENRY LENNOX, in seconding the Motion, said, the Treasury had always differed from the Admiralty upon this subject, although it was true that the letter which had crushed the hopes or these young gentlemen was signed by the First Lord of the Admiralty at the time that he was Secretary to the Treasury. Knowing, as he must now do, the duties of these third-class clerks and the hardships of their case, the right hon. Gentleman would not, he trusted, still refuse to re-consider his decision with respect to them. The Order in Council announced that the salaries of certain of the third-class clerks should be raised at the end of eight years. Those who entered the service in 1857 and 1858, and those who entered in 1867 and 1868 enjoyed the boon; but those who entered the service between these two periods found themselves in a much inferior position. Although they had no legal claim whatever to consideration in the matter, he could not help thinking that they had a strong moral claim to have their case favourably considered. He (Lord Henry Lennox) had himself done what he could, but the Treasury was immovable. Cases of this kind had only to be well ventilated and to be properly laid before the country, to induce public opinion to back up Her Majesty's Government in doing that which was simply an act of justice. He would suggest that the third-class clerks should defer the proposal contained in this Motion until the period for preparing the Civil Service Estimates next year.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the members of the Civil Service are entitled to a scale of pay in accordance with the terms of any Order in Council which has not been revoked or qualified by a succeeding Order of equal authority,"—(*Captain Grosvenor,*)

—instead thereof.

VISCOUNT BURY said, he was glad that the noble Lord had anticipated him in seconding the Motion, which it had been his intention to do. The course that had been taken by the Treasury upon this matter involved manifest injustice to certain members of the Civil Service, which arose probably from some inadvertence on the part of the authorities, and not from any desire to act unfairly towards them. In 1866 it became necessary to raise the scale of pay of the third-class clerks from £90 to £100 per annum, but only clerks who had served eight years were to receive that increase. There were a great number of persons who had not completed eight years' service, but who had gone some way towards it. They were in a more disadvantageous position than clerks who went in later. While seniors in the office were receiving only £90 a year, clerks who were much their juniors received a higher salary.

Mr. CHILDERS said, that this was not at all an interesting subject; it was technical, and involved minute details which could not be of any very general interest. He felt bound, however, to give an explanation of the circumstances under which the change in respect of the salaries of those clerks had been made. The case had been stated with perfect fairness, but not with complete accuracy. In 1865, as a consequence of the introduction of writers to do work which did not require much brains, it became necessary to consider the position of the third-class clerks in the Admiralty, and a committee was appointed by the Treasury and Admiralty to go into the whole subject. The committee recommended that the junior clerks who entered at £90 a year and who received an increase of £10 a year should, after a certain number of years' service, but without rising to another grade, receive a sudden increase of £30, which would bring their salary up from £170 to £200 a year, rising afterwards by £10. That plan would have involved an increased charge to the public of £1,515 a year. The Treasury thought there would be an inconvenience in the mode of increase recommended by the committee, which would be demanded by others, and accordingly they made a different arrangement, by which they proposed that after a certain number of years the salaries of the clerks should be increased annually by £15, instead of £10 a year. This plan, which received the sanction of the Admiralty, and was carried into effect by an Order in Council, involved an increased charge to the public of £2,043. Besides the change in respect of the annual increase, the Order in Council gave clerks on their entry into the office £100, instead of £90 a year. In addition to this, the Treasury, without any reference to the Order in Council, allowed the then existing clerks with more than eight years' service to receive the rate of salary they would have been entitled to had they entered the service at £100 instead of £90. Thus the clerks had got all that the Order in Council gave them, and some of them got considerably more; and the proposition of his hon. Friend was, that because the seniors were receiving something beyond what the Order in Council gave them, the juniors should also receive something more. If such proposals as the one now made by his hon. Friend were agreed to it would be impossible to carry out anything like uniform arrangements in respect of the classification or of the payment of the clerks. He did not see how the case put by his noble Friend the Member for Berwick (Viscount Bury) of juniors receiving more than their seniors, could occur; because, if a clerk had entered at £90 in 1864 his salary would have been rising by £10 between that time and 1866. There had been one case of inconvenience—that of a clerk appointed a few months before the Order at £90. This had been rectified. For his part, neither at the Admiralty nor at the Treasury had he shown the least disposition to underpay any officer. On the contrary, the motto he had always used was—"Pay your officers well, but keep down their numbers." The real extravagance of the Civil Service—and, in certain Departments, there could be no doubt that some extravagance existed —was in point of numbers rather than of salaries. Acting on the principle which he had mentioned, the Government were effecting great reductions among the subordinate clerks at Somerset House, which, when completed, would result in an economy of something like £10,000 or £12,000 a year; but they had it in contemplation at the same time to propose an improved scale of pay which the House, he hoped, would readily assent to. He trusted, therefore, that he should be freed from the imputation of any desire to pare down salaries. In the doctrine laid down in the latter part of his hon. Friend's Motion, which might almost be called a truism, he cordially concurred; but, having shown that the officers on whose behalf the Motion was brought forward had really received everything to which they were entitled, he hoped the House would not be put to the trouble of dividing.

Sir ROBERT PEEL said, the question which the House were engaged in considering was not the motto of the First Lord of the Admiralty in dealing with the Civil Service, but a case alleged to be one of great hardship affecting the third-class clerks in nine departments of the Admiralty, numbering nearly 100 persons, and growing out of a misunderstanding between the Admiralty and the Treasury. The First Lord of the Admiralty, who, as Secretary to the Treasury, wrote the letter out of which this misunderstanding had now arisen, stated, at the commencement of his observations, that the subject was not a very interesting one with which to occupy the attention of the House; but it was so far interesting that it involved a sum of nearly £3,000 which these clerks claimed as their due under an Order in Council. His noble Friend opposite (Lord Henry Lennox) declared that these clerks had no positive right, though he believed them to have a moral claim; but had he looked into the Papers more closely, his noble Friend, he believed, would have formed a more favourable opinion. "Wait," it was said, "till next year's Estimates are under consideration, and the matter can then be brought forward with better effect." The answer was obvious; the clerks had already agitated this question through the heads of departments for four years, without obtaining any satisfaction, and early in the present Session, when a question was put to the First Lord of the Admiralty, his answer was very ambiguous. According to the right hon. Gentleman, because the seniors in the department had received something which they deserved, therefore the juniors now were pressing their claims. [Mr. Childers: That is not what I said.] I took down the words. The right hon. Gentleman said that the case of the hon. Member who made the Motion was this—because the seniors had something given to them to which they were entitled, therefore the juniors now were asking for that to which they had no claim.

Mr. CHILDERS: As the hon. Baronet says he has taken down my words, I may be allowed to correct them. I said that the purport of my hon. and gallant Friend's argument was, because the seniors had received something beyond that which they were entitled to, therefore the juniors now were making a claim.

Lord HENRY LENNOX: I should like also to make a correction of what my right hon. Friend (Sir Robert Peel) has attributed to me. What I said was that I believed the clerks had no positive right, inasmuch as when they originally agreed to serve it was at the rate of £90 a year, and any increase subsequently made was by the beneficence of Parliament and of the Government.

Sir ROBERT PEEL said, he did not know whether anybody else wished to interrupt him, but he suffered no inconvenience from the remarks just made, inasmuch as he regarded the point at issue as one of public importance, and believed he had not over-stated the effect of any argument used in debate. The First Lord of the Admiralty told the House this was an uninteresting question; but before the discussion closed he hoped that the First Lord of the Treasury, with his accustomed spirit and sense of justice, would rise and acknowledge that these clerks had a just claim upon the consideration of Parliament. All the Papers in this case had been placed before the Solicitor General; he had been consulted as one of the most eminent counsel in the country, and he gave his opinion, before he became in any way connected with the present Government or with the right hon. Gentleman at the head of the Admiralty. That opinion was to the effect that these clerks had clearly a case, and that the Government were over-riding an Order in Council. Here, then, was an occasion upon which the Government and the House ought to show generosity and consideration.

The SOLICITOR GENERAL said, he had no complaint to make of his opinion having been brought forward, more especially as the clerks, before doing so, had kindly asked him whether he had any objection to their taking that course. It was no part of his business to interfere with the discretion of the Government in the matter; all he wished to do was to inform the House upon what materials the opinion was given. For as to the opinion itself he would say respectfully but firmly that upon the same materials he should again give the same opinion, without adding anything to what he had previously written. He had nothing to alter in the opinion he had given, but the question now before the House was totally different from that placed before him. The question submitted to him was as to the true construction of the Order in Council, and whether, the terms being clear, the Treasury had the power to limit its operation, and no one who looked at the case submitted to him could come to any other conclusion than that the Treasury had not. The Order in Council was the first and leading document submitted to him, and no suggestion was made to him of the existence of any prefatory correspondence by the light of which the terms of the Order in Council were to be read. It appeared to him then, as now, that if the Order in Council stood alone it meant that all the third-class clerks at the Admiralty from the date of the Order coming into operation were to recceive salaries on the scale laid down in that Order, whether they had joined the Admiralty after the date of the Order in Council or were there already. It was then suggested to him that the construction placed on the Order by the Treasury was that whereas for the future all third-class clerks were to come in at £100 a year, were to rise £10 a year for eight years, and were then to rise by £15 a year until they reached £300 a year, it was only to take effect in the case of those who had been in the Admiralty eight years, and those who joined it after that date, but that it was not to apply to those who had not completed the term of eight years, who were to receive £90 up to the completion of that term, when the £15 a year was to be added. That interpretation he certainly thought there was no foundation for in the Order of Council, and if the Treasury had so limited its operation he was of opinion that they had exceeded their competency. It, however, turned out—which he was not aware of at the time—that the third-class clerks who came in at £90 a year were receiving a yearly accretion of £10, and therefore the question was whether if they had, for instance, entered a year upon the service they were to receive a retrospective £10 to put them on an equality with those who had begun at the £100. He never understood that his opinion was taken on that point. A very different question had been agitated between the Admiralty and the Treasury, and it appeared that the state of things was not what he had supposed in his third answer. It was further suggested to him that a person who entered at £100 a year might be receiving more pay than his seniors in the same department. That was certainly an anomalous position; and he thought that if the matter were referred in a memorial to the authorities it would be corrected. He was, at all events, justified in saying that none of the grievances he supposed he was advising upon now existed. His opinion was given upon the facts before him, and he had no idea of the previous correspondence and of the real state of the case.

Mr. GLADSTONE said, that the merits of the question were of a kind very difficult to follow, from its complex nature, and if his hon. Friend (Captain Grosvenor) wished to challenge the opinion of the House it would be necessary he should take some means for putting the House in fuller possession of the facts. There were, however, objections to the Motion which were quite independent of the merits of the particular case. As to its meaning, he had no doubt it was conformable to common sense and justice; but it would be very inconvenient for the House to adopt the terms of the Resolution. He was not aware that that House had asserted or admitted, or could by possibility admit in justice to itself or to the people, that the terms of any Order in Council constituted a title to a payment of public money. If they constituted an obligation to anything it would only be to an obligation on the part of the Government to make application to that House, but no Order in Council could bind the House or constitute a title to pay. His hon. Friend had not adverted to that aspect of the Resolution, which was of a very serious character. He would hardly lay down such a doctrine as that the terms of such a document bound the Executive irrespective of the previous assent of that House, or constituted a title to the receipt of public money. Such a doctrine was entirely novel, and he trusted his hon. Friend would not press his Motion to a division.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 107; Noes 64: Majority 43.

Question again proposed, "That Mr. Speaker do now leave the Chair."

IRELAND—TRALEE GAOL.

QUESTION.

MR. O'REILLY said, he rose to call attention to the Papers relative to Tralee Gaol, and to ask the Chief Secretary for Ireland, What steps have been taken to remedy the abuses that existed in the management of that Prison? According to the Report of Mr. Burke, Tralee Gaol was remarkable for three things — the wretched state of the building, the enormous expenditure, and the small number of prisoners. There were only thirty-six prisoners in the gaol, who cost £80 a year each. The salaries of the officers amounted to £1,267, while the total cost of everything else was £1,193. The local inspector, who was a clergyman, got £180; the governor got £200; and the chaplain of the Established Church, who had not more than two persons on the average to attend to, got £50. The deputy governor, who also acted as schoolmaster, got £100 a year; and £350 a year was given to nine turnkeys to watch the thirty-six prisoners; yet the inspector said the discipline was very lax, and the prisoners were so poorly guarded that it was a wonder they did not walk out. Among the turnkeys there were five tradesmen to teach the prisoners trades, and the highest profit ever made in a year was £36. During the winter, the inspector said, the prisoners were all locked up in their cells from half-past four in the afternoon till seven the next morning, and many of the cells were damp and not properly lighted with gas. He found that the governor, who had a family of eight, lived in the prison; and the deputy governor, who had a family of four, also resided in the prison. Between the prison wall and the interior boundary wall of the gaol were two acres of land, on which were kept cows, pigs, and poultry, and another portion of the same ground was used as a kitchen garden. The governor also kept dogs within the gaol. All this was in opposition to the law and regulations under which Irish gaols were managed. The gaol had a local inspector who received £180 a year for visiting the prison twice a week, whilst other local inspectors only had £80 a year. That local inspector, who was obliged by the Act of Parliament to make a report on oath, had certified that no horses, cows, pigs, or cattle of any kind were kept within the precincts of the gaol, and that each prisoner was provided with a separate cell and a separate bed, in the face of the Reports of the Inspector General and the knowledge of others to the contrary. He thought that this was a state of things that required prompt attention, and he hoped that the Chief Secretary for Ireland would give him some assurance that the Government would take the matter into their consideration. He was aware that the powers of the Government in gaols were somewhat limited; but in this case the inspectors of the gaol had called attention to these defects repeatedly, without the slightest effect, and therefore it was necessary that the matter should be brought forward in Parliament.

MR. H. A. HERBERT said, he was of opinion that the hon. Gentleman who had just sat down was labouring under some misapprehension respecting the details upon which he had drawn. He thought, for instance, the hon. Gentleman was mistaken respecting the alleged keeping of cattle within the precincts of the gaol. On the day the Inspector General visited the gaol some repairs were going on, and things were consequently to some extent in a state of confusion. Every attempt had been made by the Board of Supervision to remedy the evils complained of, and the Inspector General would find a very different state of things at his next visit.

MR. CHICHESTER FORTESCUE said, he agreed that there was much which needed remedying in the gaol of Tralee; but this was not the case of a Government gaol, but of a county prison, over which the Government had little or no control. He doubted not that the local authorities would do their utmost to remedy the evils and defects complained of. He was glad that his hon. Friend (Mr. O'Reilly) had called attention to the subject. The Board of Supervision had not lost sight of the Report of the inspector. A committee had been appointed to remedy the abuses which had been complained of; and it had been actively at work, so that the inspector would find a very different state of things on his next visit. He was thoroughly convinced that legislation was required to put the county gaols in Ireland upon a proper footing, in conformity with our improved notions of what the conduct and management of a gaol should be. There were many things in connection with those gaols which could not be dealt with by the local authorities. The question was under the consideration of the Government. He did not know that anything could be done this Session, but it should, undoubtedly, be dealt with at an early period.

BOROUGH OF RYDE.

OBSERVATIONS.

MR. W. W. BEACH said, he rose to call attention to the circumstances under which the Town of Ryde was formed into a Borough. No doubt the town had increased in wealth and population, but a borough should not be formed unless a strong case was made out. However, some of the inhabitants were desirous of the prospective luxury of paying additional rates. A Commissioner was sent down to inquire respecting the formation of the new borough, and it was only fair that all the parties concerned should have been heard. When the Chief Constable, however, saw the evidence that had been taken, he wrote at once to point out some inaccuracies. His letter was not even acknowledged. He (Mr. Beach) was of opinion that when a new borough was to be created it should be created by mutual agreement between the borough so to be formed and the locality surrounding it. Unless this were done, discontent was sure to prevail in consequence of the complications of interests that would arise. By removing a considerable population, as it were, out of the county, and constituting it into a separate community, it necessarily followed that increased liabilities and burdens were thrown upon the rate-payers of the county in which the borough was created. There was a public debt charged on Hampshire, but by constituting a portion of the county into a borough the area of liability was contracted. That was a matter which should have been taken into consideration. If Ryde had been constituted in a fair way into a borough, the cost of the county police would have been reduced to the extent of the sum charged for the borough police, but the charge for the police of a most objectionable suburb of Ryde was charged on the county. Oakfield, in the parish of St. Helens, was part of the town, but had not been included within the limits of the borough. The interests of the people of the county of Hampshire ought to have been consulted as well as the interests of the borough of Ryde, but this had not been done, and he thought there was, consequently, just ground for complaint. His object in drawing attention to the subject was to press upon the Government the necessity of taking greater care in the formation of boroughs in order that injustice might not be committed, as had been the case in the present instance.

SIR JOHN SIMEON said, he must confess he had seen with surprise the announcement of the hon. Member's intention to bring forward this question. The inhabitants of Ryde considered it to their advantage to secure the right of municipal government, and control over their own police and rates, and they had taken the usual mode of accomplishing that object. An exhaustive inquiry had been held, which lasted two days, and a charter had been granted; and there was nothing more to be said on the subject. In wealth and population Ryde had increased greatly during the last ten years, and was now one of the most important towns in Hampshire, as appeared by the statistical returns. Could it, then, be wondered at that the people of Ryde should desire to obtain the prestige resulting from its conversion into a borough? Ryde was constituted a borough in 1868, and therefore it was not the present Home Secretary, but his predecessor, who was answerable for what had been done.

SIR MICHAEL HICKS-BEACH said, he wished to point out that his hon. Relative (Mr. Beach) did not object to Ryde having been made a borough, his complaint being that the boundaries of the borough had not been sufficiently extended. He hoped the Secretary of State for the Home Department would consider whether it was advisable that boroughs should be constituted throughout the country with separate police jurisdiction, which tended to impede the due administration of justice.

Mr. BRUCE said, the whole of the proceedings of which the hon. Gentleman complained were conducted, not by the Home Office, but by the Privy Council Office, under the late Government. He might however remark that, under the terms of the Commission, the districts which had been referred to could not, according to the report of Captain Donovan, be included in the borough; and he was bound to add that the proceedings under the late Government were conducted with perfect fairness.

THE JUDICATURE COMMISSION.

QUESTION.

Mr. NORWOOD said, he would beg to inquire of the Secretary of State for the Home Department, Whether it be the intention of the Government to enlarge the scope of inquiry of the Judicature Commission so as to embrace the County Courts, Quarter Sessions, and other local tribunals in the provinces? He would also suggest that the mercantile and manufacturing interests should be represented on the Commission.

Mr. BRUCE said, in reply, that the Commission was issued by the late Government. He had consulted the Lord Chancellor and Lord Cairns on the subject, and they agreed in the opinion of his hon. Friend that the scope of the inquiry ought to be extended. The suggestion which his hon. Friend had made should receive consideration.

SCOTLAND.—SHERIFF COURTS.

QUESTION.

Mr. MILLER: I rise, Sir, to call attention to the appointment of sheriffs in Scotland, and to ask the Secretary of State for the Home Department, that, looking to the great preponderance of opinion in favour of a change in the existing state of the Sheriff Courts, as given in the evidence taken by the Royal Commission to inquire into the Scotch Law Courts, Whether it is the intention of Government to make it a condition of any appointment of sheriffs, either principal or substitute, that those appointed shall not be entitled to any compensation in the event of their office being abolished by Parliament when the whole question comes to be considered on the Report of the said Royal Commission? The point was one of considerable importance. These courts had long been condemned by public opinion, and the evidence adduced before the Commission showed that the double sheriffship could and must ultimately, be dispensed with. At present each county in Scotland had what was called a sheriff-principal and a sheriff-substitute. The sheriffs-substitute were resident magistrates, acting as justices, while the sheriffs-principal were sheriffs who reside in Edinburgh, and only visited the counties periodically. The existence of two sheriffs in a county tended to create very considerable delay and considerable expense. The appointment of the sheriffs rested nominally with the Crown, but, he understood, really with the Lord Advocate; and it had been stated in the evidence that they had sometimes been appointed from political considerations. The sheriffs-substitute were appointed by the principal sheriffs. He understood that since the date of the Commission three of the latter had been appointed. He did not know how many more such appointments might fall vacant before the Commission had completed its labours; but, unless some stipulation were made with future appointees, they might have a claim on the country for compensation should their offices be afterwards abolished.

Mr. SCLATER-BOOTH, as a member of the Royal Commission felt called upon to enter a protest against the assumption contained in the Question which the hon. Gentleman had placed upon the Notice Paper—that there is a great preponderance of opinion in favour of a change in the existing state of the Sheriff Courts. No doubt there was evidence to that effect; but there was quite as much evidence the other way. The difficulty arose from the Commission—with what he could not but consider a stretch of their power in that respect—publishing the evidence bit by bit. But he did not think it desirable, when the evidence had been published in this manner, for hon. Members to make use of it to bring before the House Motions founded upon it before the Report of the Commissioners was made known.

Mr. CRAUFURD thought that when the evidence was published the public were justified in assuming that the inquiry was complete, and that they might draw such conclusions as they pleased, without in any degree prejudicing the Report which the Royal Commission might afterwards make. Now, the suggestion of his hon. Friend did not in any way fetter the recommendations the Commissioners might make. All that was required was that, following the precedent of the Registration of Writs, they should take precautions that persons hereafter appointed to these offices should have no claim to compensation if the Commission should recommend that one of the double sheriffships should be abolished.

The LORD ADVOCATE said, that when a Commission had been appointed to inquire into so important a matter as the whole operation of an important jurisdiction, it was premature and inconvenient that while the inquiry was still incomplete, they should form conclusions as to the result of the evidence until the Commission had reported—for he supposed the Commission was appointed because the information before the Government and the country was not sufficient to enable them to come to a conclusion. The evidence, as far as it had gone, was laid before Parliament at the earliest possible period after the meeting of Parliament. He had no reason to know that the evidence upon the subject of the Sheriff Courts was complete. At all events, it would be entirely premature, either on the part of the Government or of the House, to come to any conclusion on this matter. His right hon. Friend (Mr. Bruce) had requested him to state in direct answer to the Question—without giving any absolute pledge—that he will be prepared to consider very seriously the suggestion made by the Question should a vacancy occur.

SOUTH KENSINGTON MUSEUM.

MOTION FOR A PAPER.

Mr. DILLWYN said, he rose to move an Address for Copy of the Report of the Committee appointed by the Science and Art Department to inquire into the alleged deterioration of the Pictures belonging to the National Gallery deposited at the South Kensington Museum. He hoped the evidence of the scientific men would be given to the House. On considering the subject, he thought he would not move the Motion of which he had given notice, but content himself with calling the attention of his right hon. Friend the Vice President of the Committee of Council to the matter.

Mr. W. E. FORSTER said, the Report had been delayed in consequence of experiments which scientific men had been engaged in making. He believed, however, it would be presented before the close of the present Session. He might say, however, that they thought there was no reason to believe that the pictures were suffering.

Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

SPECIAL BAILS BILL.

On Motion of Mr. Hadfield, Bill to facilitate the taking Special Bails in Civil Proceedings depending in the Superior Courts of Law at Westminster, and in Proceedings in Error and on Appeal, *ordered* to be brought in by Mr. Hadfield and Mr. Denman.

Bill *presented*, and read the first time. [Bill 162.]

House adjourned at a quarter
after One o'clock till
Monday next.

HOUSE OF LORDS,

Monday, 14*th June*, 1869.

MINUTES.] — *Sat First in Parliament*—The Marquess of Anglesey, after the death of his Father; The Earl of Radnor, after the death of his Father; The Lord Leconfield, after the death of his Father; The Lord Ross, after the death of his Brother; The Viscount Combermere, after the death of his Father; The Lord Fingall, after the death of his Father.

Public Bills—*First Reading*—Diplomatic Salaries, &c.* (128); Oyster and Mussel Fisheries Supplemental* (129).

Second Reading—Irish Church (109), *debate adjourned.*

Committee—Report—Customs and Inland Revenue Duties* (111); Election Commissioners (Expenses)* (121).

Report—Recorders' Deputies* (105).

Third Reading—Stannaries* (98-123); Oxford University Statutes* (114), and *passed*.

IRISH CHURCH BILL—[No 109.]

(*The Earl Granville.*)

SECOND READING. [FIRST NIGHT.]

Order of the Day for the Second Reading, read.

Moved, That the last three paragraphs of Her Majesty's most gracious Speech be read (*Earl Granville*)—*agreed to;* and the said paragraphs accordingly read by the clerk:

> "The Ecclesiastical arrangements of Ireland will be brought under your consideration at a very early date, and the legislation which will be necessary in order to their final adjustment will make the largest demands upon the wisdom of Parliament.
>
> "I am persuaded that, in the prosecution of the work, you will bear a careful regard to every legitimate interest which it may involve, and that you will be governed by the constant aim to promote the welfare of religion through the principles of equal justice, to secure the action of the undivided feeling and opinion of Ireland on the side of loyalty and law, to efface the memory of former contentions, and to cherish the sympathies of an affectionate people.
>
> "In every matter of public interest, and especially in one so weighty, I pray that the Almighty may never cease to guide your deliberations, and may bring them to a happy issue."

EARL GRANVILLE: My Lords, I hope I shall not be misunderstood when I say there are special circumstances connected with the present occasion which make me feel that I am hardly equal to the performance of the honourable task which has been entrusted to me of moving the second reading of this important Bill. I can only trust to that indulgence and that forbearance which your Lordships have invariably extended to me. My Lords, I have given great—and, I am sorry to say, unavailing—consideration to the manner in which I could do justice to this Bill, so as at the same time to pay due respect to the House, and yet not be wearisome to its individual Members. It is the duty of him who moves the second reading of a Bill of this importance to show, in the first place, that what it proposes is a thing which ought to be done; and, in the second place, that the provisions of the Bill are the right way of doing it. Now, I can conceive hardly anything more irksome to your Lordships, and therefore more painful to a speaker, than to go through the numerous and arduous details of a measure like this without being able to add new facts or impart new information to your Lordships. On the other hand, I feel that if I had to choose an opportunity of addressing a great, intellectual, and not uncritical assembly, I would choose that of trying to convey to them the conviction which I have entertained during my whole political life—that the Irish Church is a great anomaly, that it has not fulfilled the position which it was intended to fill, and that it is a great injustice to the people of Ireland; and is, therefore, an obstacle not only to good administration, but to all legislation in a reasonable, wise, and moderate spirit upon many other subjects which call for the action of Parliament. In proof of the necessity of this measure, I beg to refer to what has passed during the last eighteen months—not for the purpose of controversy, but merely to put the facts before your Lordships. Your Lordships will remember that leading Member of the late Government stated that Ireland was the principal question of the day, and that their policy towards Ireland should be of a Liberal character. Again, Lord Mayo, the organ of the Irish Government in the House of Commons, admitted that there was much that was unsatisfactory in the position of the Established Church, and that there was an inequality among the religious denominations of that country which it was desirable should not continue. That view was confirmed by the late Government issuing a Commission upon the subject of the Irish Church; and I am quite sure that if your Lordships have read the Report of that Commission upon the limited question referred to it, you will agree that there is nothing in that Report to convince you that the Irish Church ought not to be dealt with. Then, my Lords, those who at that time formed the Opposition declared their policy last Session in the House of Commons; it was approved by a large majority of that House, and a Bill which was founded upon it came up to your Lordships' House, but was there rejected by a still larger majority. Now, I cannot say, notwithstanding the majority against it in this House, that I regret that that Bill was submitted to your Lordships. I had the honour of proposing the second reading; and after I had concluded the observations which I thought it necessary to make, there arose a debate which I have no hesitation in saying added much to the estimation in which your Lordships' House is held by the public. That debate furnished at the time the most perfect compendium of the opinions of both sides on the most important public question of the day; and I am glad that your Lordships had that opportunity at a most critical moment of expressing your opinion to the country—a large proportion of which were then about to enter, for the first time, upon their newly-acquired franchise—and not only of expressing your opinion by that large majority, but of supporting it by all the arguments which could be advanced in the favour of the course you took. My Lords, Her Majesty's late Government expressed an anxiety, which it was only natural that honourable men should feel, that having been defeated on a question of such importance, they should appeal to the country as soon as the technical difficulties which prevented that appeal being immediate should be removed. They did so appeal; and so confident were they of victory that the late Prime Minister, a week before the elections, declared to the citizens of London his conviction that the result of the elections would be to maintain him in power, at all events, for another year. The result, however, was not such as had been predicted; and Her Majesty's late Government were so struck with that result that they took the unusual, but, I think, creditable course, of immediately resigning their Offices, without waiting to test the opinion of the House of Commons, so satisfied were they that it was in unison with that of the people. This, I think, was a public spirited act on their part; and it had also this great advantage, that it was the only thing which made it possible, even with great exertions on the part of the present Government, and with much previous thought, to prepare a Bill and propose it to Parliament shortly after the opening of the Session. My Lords, Lord Stanley stated a short time since that approval of the principle of the Bill had been decided by those elections; while Mr. Disraeli himself stated in the House of Commons that in his view the decision at the elections amounted to this—that the country had decided that Mr. Gladstone should have an opportunity of dealing with the question of the Irish Church, but it had not given any opinion in favour of this particular measure. Now, from that latter part of this remark I must be permitted to differ entirely, for not only had the fullest explanation of Mr. Gladstone's general plan been submitted to the country before the elections, but it has been insisted on by the Opposition, in every discussion on this Bill on every stage, that Mr. Gladstone was bound in every particular to his plan and speeches of last year. Be that, however, as it may, Mr. Disraeli's admission is sufficient for my present purpose, and I do not think it necessary for me to enter so fully as I felt it proper to do last year on the question whether or not it is necessary to deal with the Irish Church.

Now, your Lordships are technically supposed to know nothing of this Bill; but practically, as we all know, there is hardly one of your Lordships who is not well acquainted with the principles and details of the measure. I will take advantage of that assumption on my part in order to avoid going into minute details connected with every clause; but with the permission of the House I will endeavour to group the clauses, not according to their arithmetical arrangement in the Bill, but in the manner best calculated for the purpose of refreshing your Lordships' memories. But first, on the general principles of the Bill I may be allowed to make a few observations; they are contained in Clauses 2, 11, 12, and 13. The union between the Church of England and the Church of Ireland is put an end to, the Irish Church ceases to be established, ecclesiastical corporations in Ireland are dissolved, and Irish Archbishops and Bishops cease to have a right to sit as such in this House. This will take effect on the 1st of January, 1871. With regard to endowments, the present Ecclesiastical Commission will be dissolved, and the property held by it, subject to all existing rights, charges, and liabilities, will be transferred to a new Commission, which I will presently describe. These provisions will take effect on the passing of the Bill—supposing it should pass.

I now proceed to another branch of the measure—namely, the compensation to ecclesiastical persons or bodies affected by the Bill. All ecclesiastical persons holding freeholds are to be compensated in proportion to the net yearly income, after certain specified deductions, of which they may be deprived by the operation of this Act—the amount to be ascertained and declared by the Commissioners. They are to receive an annuity equal to that net income during their lives and so long as they continue to discharge their present duties and the duties subsequently imposed on them with their own consent by the Representative Body of the Church—to be hereafter described—or if they are disabled from so doing by sickness or permanent infirmity, or any cause other than their wilful default. There will, however, be a deduction from this income in respect of the salary of a permanent curate, the question of permanency being decided by the Commissioners after both sides have been heard; but where the salary of such curate ceases in the lifetime of the person whose income has been subject to such deduction the latter will receive for the rest of his life a further annuity equal to the amount of such curate's salary. As to permanent curates, they are to receive an annuity equal to the amount of their present income, subject to the provision that that annuity shall cease if he should by misconduct, and without the incumbent's consent, be quit the curacy in respect of which the annuity is given him, or should, by reason of ill-health or otherwise, become incapable of performing the duties. Other curates whom the Commissioners may deem not to be permanent curates will receive a gratuity at a rate not exceeding £25 for every year of service, the Commissioners being empowered in any case where the period of service does not amount to eight years to make up the gratuity to £200; but, in no case, is the gratuity to exceed £600. Private lay patrons will receive compensation after inquiry by the Commissioners; and diocesan schoolmasters, clerks, and sextons will receive an annuity equal to their net income of which they will be deprived by this Act. There are also other officials who will receive gratuities or compensation.

I now come, my Lords, to a point of considerable importance — namely, the application of the property as far as regards the benefices of the Church through the creation of a new body representing that Church. We have no wish to dissolve the spiritual union between the Church of England and the Church of Ireland; and therefore, although ecclesiastical laws will cease as such in the latter country, they will continue by voluntary contract and agreement until or unless they are altered also by agreement. Your Lordships are probably aware that Convocation has not met in Ireland for nearly 200 years, and there is a provision in an Act, passed in the reign of George II., and I believe directed against the United Irishmen, forbidding the assembly of any Convention or Synod of the Irish Church. These prohibitions are repealed by this Bill, and we believe that by that repeal the Church will be enabled to Constitute a body representing the Bishops, clergy, and laity. Her Majesty is enabled to incorporate such body by charter, and it is enabled, notwithstanding the statutes of mortmain, to hold lands to the extent that is in this Bill provided. With regard to the dealings between this new Representative Body, when incorporated, and the Commissioners, all holders of benefices may apply to the Commissioners to commute his annuity and the value of his life interest; and the Commissioners may, if they think proper, and with the consent of the Representative Church Body, pay the amount of such commuted value to the Church Body charged with the future payment of the annuity. Curates also, and any other persons having life interests in ecclesiastical property, are enabled to apply for similar commutation, with the consent, in the case of curates, of the incumbent as well as the Church Body. Any net building charge due in respect of any benefice will be paid to the incumbent on the commutation taking place. With regard to ecclesiastical buildings, all churches in ruin, or which are wholly disused for public worship, or which are not suitable for restoration, but which nevertheless may appear to be deserving of being maintained as national monuments by reason of their architectural character or antiquity, will be handed over to the Commissioners of Public Works for their guardianship and care. The churches which are in use will all be handed over to the Church Body upon their application and their declaration that they require them for religious purposes. Failing such application, a church built at the private expense of any person will on application be vested in the donor, or in his representatives if he have died since the beginning of this century, or in such persons as he or they may direct. With regard to school-houses, all those belonging to the Church will be vested in the Church Body, and will be dealt with in the same order. As to burial grounds, those connected with churches vested in the new Body, or given by private donors, or exclusively used by the congregations will go in the same order as that which vests the churches. Burial grounds belonging to churches handed over to the Commissioners of Public Works will be vested in the guardians of the Poor Law union within which their parish may be situated. With regard to ecclesiastical residences, they will, on the application of the Church Body, be vested in them, subject to the payment of any life interest, and, in case of any building charge, subject to the payment to the Commissioners of either the amount of such charge, or a sum equal to ten years' purchase of the annual value, estimated by the general tenement valuation. Your Lordships are probably aware that there are building charges upon the glebe houses amounting to £250,000. Your Lordships are possibly aware that since the Union the public have advanced £150,000, and another £100,000 has accrued for interest. It is calculated that under this arrangement the Commissioners will not be recompensed to the extent of more than 50 per cent. There are powers given by the Bill to attach thirty acres of land in the case of a see house and ten acres in the case of any other ecclesiastical residence, provided such land has been usually occupied therewith, and additional ground may be added at a price agreed upon or fixed by arbitration, if such additional land is necessary for the convenient enjoyment of the residence. Private endowments given since 1660 will be vested in the Church Body if they apply for it; otherwise in the donor, or, if he have died since 1800, in his representatives. On this subject there are different views. Some hold that these private benefactions should at once merge in the public fund, and be treated exactly in the same way; while others would go back for any period of time where any record of private benefactions can be traced. Her Majesty's Government, however, have thought the date fixed in the Bill the most convenient that could be adopted, and we shall be ready now or in Committee to explain the reasons for the limit we propose. With regard to mixed endowments, it is proposed that private endowments may be sold or public endowments purchased at a rate applicable equally to both cases. All moveables, chattels, furniture, &c. belonging to any church or chapel will be vested in the Church Body, subject to any life interests.

And now with regard to the Presbyterians and the Roman Catholics. The *Regium Donum*, as your Lordships are aware, amounts to something like £45,000 or £50,000 a year. When that grant is discontinued it is proposed to deal with the Nonconformist ministers and their assistant successors in the same way as with the incumbents of the Established Church. Their annuities may, in like manner, be commuted. It is not necessary for me to remind your Lordships that the Presbyterian ministers stand in a different position from the permanent curates of the Church, and therefore the capital sum produced by the commutation will be paid to trustees. Maynooth College will be compensated by the payment of a capital sum to the trustees. With regard to these three bodies — the Established Church, the Presbyterians, and the Roman Catholics—there exists this difference between the three cases. The Church has endowments both for the purpose of religious ministration and also for educational purposes—I mean the endowments belonging to Trinity College. It is proposed to compensate the interests of those who are affected by this Bill, and not to deal in any way with the educational portion, which is not touched by the present Bill. The Roman Catholics have nothing at stake so far as regards their religious ministration, and they are only to be compensated for their educational establishment; while the Presbyterians will be compensated under both classes of endowment. As to the first of these classes, the Presbyterians have been compensated on the same principle as the Established Church, while the other classes will have exactly the same compensation as that which is given to the College of Maynooth. The same principle of compensation has been adopted in all three cases as nearly as circumstances would admit; and although the compensation, amounting, I think, to £7,900,000 in the case of the Established Church, and to only £1,100,000 in the case of the

Presbyterians and Roman Catholics—one-third of the latter sum going to the Roman Catholics—is painfully out of proportion to the population, your Lordships will understand that that cannot be helped by the principle we have adopted. It is a curious coincidence with regard to the compensation given to the educational establishments of the Presbyterians and the Roman Catholics that, comparing these sums so given and the amount of population in each instance, they come, almost without a fraction, to the same result—namely, about 20*s*. for every twelve persons of each denomination.

I now come to the provisions of the Bill relating to the sale of the tithe-rent-charge. These have been described by some Members of the late Government as a bribe to the landowners—which was a little inconsistent with a subsequent attempt to improve the terms offered to that body. It is nothing of the sort. I believe no bribe of any kind would bias any one of your Lordships in the consideration you would give to any part of this Bill, but nothing of the kind is offered. It is simply proposed as a wise, fair, and almost the only practicable arrangement; and if it is advantageous in the long run to the landed proprietary of Ireland, I should like to know what possible improvement you can suggest for that country which would not in the long run be for the advantage of the landowners.

The next point of the Bill is one on which I confess I feel some satisfaction —I mean with regard to the residue of the property, and the application of the surplus, amounting to some £8,000,000, after the Church has been disestablished and disendowed. I do not know whether the experience of your Lordships will bear out my own, but as soon as Mr. Gladstone's plan was proposed last year, and up to the time when this Bill was introduced, there was no one with whom I conversed, whether a friend or an opponent of the Irish Church, who did not say—"You will find it easy enough to disestablish and disendow the Irish Church, but when you come to the disposal of the surplus, it is a rock on which you will infallibly split." Now, the framers of this measure have been so fortunate that hardly a criticism has been passed on this most important portion of the Bill, and hardly any alternative scheme has been proposed, except one to which I shall hereafter allude; there have been some jokes made, though hardly relevant when the question to be considered deals with the inevitable calamities of the human kind. The purposes to which we propose to apply the surplus are asylums for lunatics, the blind, the deaf and dumb, the training of nurses, county infirmaries, and also—which is the only exception with regard to unavoidable suffering—reformatories and industrial schools, which are much wanted. The advantage of this plan is, in the first place, that though not strictly an ecclesiastical purpose, it is a religious purpose, and applies equally to every class and every district of Ireland. These purposes are now imperfectly met by the land cess, a tax which presses more universally almost than any other tax upon the people. The proposal has also this further advantage, that it excludes any future agitation of the question, and if it can be finally settled it is obviously very desirable it should now be settled.

I now come to a series of clauses with respect to the constitution of the Commission; and I cannot help complimenting my noble Friend behind me (Viscount Monck)—not only for his own sake, but on the prospect of his labours being successful, if the Bill is carried—on the universal approbation which has been given to the constitution of the Board. It is to be composed of three Commissioners: one of them an eminent Judge; one of them my noble Friend who, though a Churchman, has avowed himself, differing from the Government, to be opposed to all Church Establishments, and who therefore will receive a stimulus to the utmost degree to show that a free Church can be made to work well; and the third a gentleman who entirely disapproves the principles of the Bill, but who, if it be carried, will devote his energies and abilities, which nobody can deny, to the successful working out of its provisions.

There are some supplementary and miscellaneous provisions which it is hardly necessary to go into now, and which will be more properly reserved for the Committee if the Bill should reach that stage. There are some of these, however, which are important, as they deal with a question very much discussed last year—the mode of dealing in the interim with the patronage of the Church, either a sregards the appointment of Bishops or of the clergy. Now it is proposed that the right of appointment shall be maintained; but that those appointments shall convey no vested rights, and shall not constitute a freehold. With regard to Archbishops and Bishops, an Archbishop can only be appointed on the requisition of three Bishops of the Province, and a Bishop on the requisition of the Archbishop, or any three Bishops of the same Province, but that appointment will convey no right or qualification to sit in the House of Lords.

I may now congratulate myself, and still more congratulate your Lordships, on having exhausted the clauses, with the exception of the saving and interpretation clauses.

If your Lordships have followed me you will see that the Bill may be divided into four parts. Putting aside the appropriation of the surplus and the clauses necessary to the working of the Act, there are those clauses containing the general principles of the Bill with regard to disestablishment and disendowment, and the other clauses are all with regard to satisfying the equitable rights of persons affected by the Bill, and to giving facilities to the Church for its future conduct, such as may seem best calculated to promote its interests, by the new Body proposed to be constituted. Now, with respect to the general principle of the Bill, and the dissolution of the union between the two Churches, I venture to think that the argument will not be often repeated that there is something in the nature of the Act of Union which makes it impossible to carry out such an arrangement as this. I admit the value of the Act of Union; I admit the good it has already done, and the good—which I hope will be even infinitely greater—which it will do if your Lordships pass this Bill; but that Act is not the maiden fortress which it is sometimes represented to be, for it has already been infringed in some particulars by the Church Temporalities Act, and also by the changes in the Parliamentary representation of Ireland. Even, however, if it had not been infringed, to say that because an Act of Union was passed seventy years ago it is impossible that the majority of the English representatives, and the majority of the Scotch representatives, joined with the majority of the Members representing the sister kingdom of Ireland cannot touch one portion of that Act, whatever public advantage they see in a change, is really an astonishing argument. My noble Friend who is to follow me (the Earl of Harrowby) evidently thinks, from what we have heard of his speeches recently, that our Roman Catholic fellow-subjects are in such a position that equal rights ought not to be given them. But how can he seek to strengthen his argument by an appeal to that very Act of Union, which was caused by Great Britain inviting Ireland cordially to unite with it at a time when a great Minister held forth hopes of Ireland being restored to equal civil and religious rights? With regard to disestablishment, it will be difficult for me to go through the main argument without breaking the pledge I have given to your Lordships. There is one point which I think is satisfactory—that the discussions of the last eighteen months seem to have brought about a very general concurrence of opinion, both among learned and unlearned persons, both among friends and opponents of this measure, that the Bill does not affect the question of the Royal Supremacy, according to the principles laid down in that very remarkable judgment of Lord Kingsdown in the case of "Long *v.* the Bishop of Capetown." We hold that the Royal Supremacy exists in every part of Her Majesty's dominions. It exists in the colonies and in Scotland exactly as it exists in Ireland or in this country. We claim that nobody can get redress for the infringement of religious as for civil rights except by having recourse to the tribunals constituted by the Royal Prerogative. Even, however, if your Lordships take an opposite view—if you mean by the Royal Supremacy something quite different, something interfering with the religious regulations of an established religion—something, in short, of the nature of the Star Chamber—even taking that view Ireland will be put exactly in the same position as Scotland; and, as far as I know, the political and religious state of that country it does not make it undesirable that we should leave Ireland in the same position. The most rev. Primate of Ireland, who does not occupy a seat in your Lordships' House this Parliament, contended last Session that not only are the revenues of the Irish Church not excessive, but that they are not adequate for the requirements of that small community which constitutes the Irish Church; and in a charge he delivered last autumn the most rev. Prelate of Dublin somewhat complained of being taunted with the paucity of the numbers of that Church, and he intimated that this was not a necessary element in the discussion of this question. I contend, however, that it is a most necessary element to the inquiry. It is one of the most important elements if your Lordships consider whether the so-called national Church has answered the purpose for which it was founded, and also, on this particular point, whether these large endowments are necessary for it. With regard to the paucity of its members, the most rev. Primate referred, as one of the reasons for the diminution of the Protestant population to, the massacre which took place in 1641—a massacre of Protestants by Catholics—in which he said the lowest estimate placed them at 40,000. Now, I rather doubt that, for a Protestant clergyman, Mr. Warner, after examining the depositions which still exist in Ireland, stated that they could not have exceeded 12,000. Even, however, taking it at the figure stated by the most rev. Primate, I would ask whether he forgets the statement of Mr. Hallam, who quotes Sir William Petty, that about that time no less than 500,000 Roman Catholics were wasted by the sword or by the plague or other causes, and that in Sir William Petty's opinion it produced such an effect that in something like two years it increased the proportion of Protestants to Roman Catholics from 2 to 11 to 3 to 11. A Return ordered by the Irish Parliament in 1767 shows that there were then 130 Protestant families, as compared with 305 Roman Catholic families. I read in a Conservative newspaper the other day an extract from a pamphlet, the title of which was not given, to the effect that in France, where all religions are paid by the State, the sum per head amounted to something like 10*d*. or a franc. On turning to the French Budget under "Public Worship," I found that that statement is not quite accurate, and that the actual amount is about 1*s*. per head; and that the number of Protestants in France being about double the number of Protestants belonging to the Irish Church, it seems that the French Protestants receive for their religious ministrations as nearly as possible one-seventeenth part of those endowments which the most rev. Primate told us last year were inadequate for the requirements of the Irish Church. I say then that in proportion to its numbers the Irish Church has a larger endowment than any other religious community in the world; and, apart from that endowment, it is a religious community which, in proportion to its numbers, has probably the largest income in the world. To say, then, that that Church, with all the advantages, material, and otherwise, which we offer it, will be unable to do what has been done in Scotland and the colonies, without any such advantages, is to pay it a poor compliment. I really must apologize for bringing the case of Scotland so often before your Lordships. We all of us remember an opinion once expressed, that it would be for the advantage of this country if Ireland could be submerged for twenty-four hours. The mere possibility of so savage a suggestion supplies a moral. Without suspecting any of your Lordships of entertaining so inhuman a wish towards Scotland, I have a shrewd suspicion that, for the purposes of this discussion and during this debate, if you could possibly envelop the northern part of this said island in one of those thick mists to which that interesting portion of the country is exposed, your Lordships would be very glad to conceal Scotland during that time from observation. Whenever we are asked how Ireland would be benefited by the disestablishment of the Church, we point conclusively to the results shown by Scotland having resisted the establishment of Episcopacy; and when we are taunted with this measure as one of an anti-Protestant character, we naturally ask how it is that probably the most Protestant country in the world has, with one voice, always excepting the representatives of its Peers, declared its conviction that this is a just and reasonable measure? When we look at its Free Church, swarming like naked bees out of the parent hive, and immediately producing honey equal to the supply both of its religious ministrations and its educational endowments, I think it would be a positive insult to the members of the richest community in Ireland to doubt that they will supply whatever is wanted for their religious ministrations.

Now, with regard to another portion of the Bill, I have seen its provisions described, and they probably will be so described this evening, as conceived in a spirit of hostility to the Established Church. Now, to one who has been able to watch the growth of this measure, and who knows the pains, the thought, the constructive power which has been expended on one of the most difficult tasks ever undertaken—the disestablishment and disendowment of this ancient Church, while respecting all equitable rights of persons connected with it; respecting also that great principle of religious equality as regards other religions to which we hold, but at the same time wishing to give every facility to the Church to form itself in the future—it appears incredible that such an opinion should be held. It has arisen, I think, very much from the openness with which Mr. Gladstone detailed last year the whole scope of the policy he proposed to pursue, for since that time it has been made the basis for concessions perfectly inconsistent with the disestablishment and disendowment of the Irish Church. It is this Bill which the Leaders of the party opposite intend — so we are informed — even without examination of its details, to reject on the second reading, and this they hope to do by the support of the right rev. Bench and by that of willing and unwilling supporters, some of whom, I understand, have even been summoned from across the Atlantic with the hope of rejecting the Bill. Now, I beg to say one word, and I do it with great respect, but considerable diffidence, to the Irish portion of the right rev. Bench. I feel all the difficulties of their position; they have hoisted—and I do not at all wonder at it — the flag of "No surrender!" It might have been well, when the fall of the Irish Church seemed almost inevitable, that they should not have maintained so strict a reserve towards Her Majesty's Government. Of this I do not complain. Nay, I will go further; I can quite understand the reasons which influenced them, and I feel that it is the necessity of their position which obliges them to say "Not-Content" to the second reading of this Bill. But I venture to ask them whether this necessity of their position does not afford one of the strongest arguments for the measures we are about to take? It is the necessity or assumed necessity of their position which has guided the Prelates of the Irish Church for nearly 300 years. It was this necessity which made a man so eminent, so learned, and so otherwise amiable as Archbishop Usher declare to his Colleagues of the right rev. Bench that it was a sin to allow Roman Catholics to exercise their religion. It was this assumed necessity of their position which, at a later date, made them not only join in but prompt all measures of restriction and persecution towards the great majority of their Roman Catholic fellow-subjects. It was this which made them protest also against any relaxation of the same restrictions which were applied to their Protestant fellow-subjects. It was this necessity or misery of their position which led the Irish House of Lords — in which the Bishops were a majority — to pass those Penal Laws which make the blood run cold, and which make one wonder how any man, lay or cleric, could ever have sanctioned laws which enabled Judges from the Bench to tell Roman Catholic gentlemen that they had no legal rights, and that Papists could only live in Ireland by the connivance of the Government. Mr. Burke, speaking of the Penal Laws, said that by them the Irish Roman Catholic was deprived not only of his civil and religious rights, but of his rights as guardian of his own children, and that he only lived to show in his own person how every right feeling of humanity could be insulted. It was this which led them to oppose every relaxation of these Penal Laws; it was this that led them to oppose the emancipation of the Roman Catholics in Ireland; which has led them to offer resistance at every step in the advancement towards civil and religious liberty, and which leads them now — though I admit in a very mild form—to oppose that measure of justice to all religious denominations in Ireland which we venture to propose. Now, my Lords, I turn to the English Bench, I know that there are some right rev. English Prelates who agree with their Irish brethren, who think it would be a sin partaking of the nature of sacrilege if they were to vote for, or even not to vote against, the second reading of this Bill. But I also trust that there is on the right rev. Bench not an entire absence of opinion that our measure is just and is wise, and is not, therefore, to be opposed on any religious grounds. But with regard to the large majority of the right rev. Bench who cannot help regretting that this question was ever mooted, who regret that this question has arrived at its present stage, I would venture most respectfully to lay certain considerations before them which I am sure will receive attention at their hands. My Lords, filling the high position they do in this House, connected as they are with the Church, and being the only Parliamentary representatives of an ecclesiastical character, while at the same time they are by no means delegates of the clergy, they have no doubt well considered whether it is not their duty to take not only an ecclesiastical, but a statesmanlike view of the effect which their course may have upon the best interests of that magnificent and popular Establishment of which they are the ornaments and the supports. I can understand their delicacy in pointing out the great difference between the English and the Irish Church. I am told that one of the arguments used to them is this—if the Irish Church is disestablished your turn will come next. [*Cheers.*] I am glad noble Lords opposite prove the accuracy of the statement, although I do not admit the validity of the argument. It is also urged that if they do not take a decided course now they will be left without defence when that time comes. Now, my Lords, I will not go into the question of the difference between the English and the Irish Churches; but I cannot conceive anything more suicidal to the best interests of the English Church than that they should admit, either by word or deed, that the principal reasons for the disestablishment and disendowment of the Irish Church apply in any degree whatever to the future disestablishment of a Church which stands upon so different a footing. I had occasion to read the other day a remarkable speech made by the most rev. Prelate who presides over the Northern Province—a speech made in one of the centres of our industrial population. I will only allude to one point in that speech, in which he impresses upon the clergy the necessity of getting a firmer hold upon the laity, and especially upon the working classes of this country. There was another charge of an eloquent character delivered by the right rev. Prelate the Bishop of this diocese, in which he points to some causes of the decline of the Church in the affections of the people, one of which he said was the separation—I think he said a growing separation—between the clergy and the laity. I may also allude to another fact. The most rev. Prelate, in a speech which he made in this House last year—a speech that was much criticized at the time—said that our policy would turn some 20,000 clergymen into political opponents; the expression was probably stronger than he intended, but I am bound to admit there was much truth in the remark. Now, my Lords, what was it that prevented the enormous majority who support Her Majesty's Government in the House of Commons at this moment from having been much larger? It was the defeats which their friends received in some of the counties. Those supporters of Her Majesty's Government who were defeated have given various reasons for that defeat; but in one thing they all agree—namely, that their defeat was principally due to the immense influence which the clergymen of the Church of England, acting with their schoolmasters, clerks, and sextons, brought to bear upon the rural population. Now, my Lords, there are some who regret that the clergy of the Established Church in this country should be able to exercise so much power. I am not one. I do not regret that they should have that power; and I think, moreover, the clergy were perfectly justified, if such were their conscientious convictions, in exercising their influence to the uttermost at the last election, previous to the decision of the country having been given on this question. But, if it comes to this—while the laity pronounce themselves—as they have pronounced themselves—in favour of the policy of Her Majesty's Government, and yet that policy is defeated partly by that clerical influence in the country at large, and partly by the votes and proceedings of the right rev. Prelates in this House—then, I think, I am not biassed in the slightest degree by party feeling in saying that that is not exactly the course which would tend to diminish the estrangement which is now said to exist between the clergy and the laity. There is another consideration which I would put to the right rev. Bench—whether it is desirable for the interests of the Church that the discussions going into the whole question should be conducted and decided under such irritating and exciting circumstances. Now, my Lords, I am not so presumptuous as to believe that any advice from me would have the slightest influence upon noble Lords at the head of the party opposite. On the other hand, I flatter myself that if even by any unintentional carelessness I was to let out anything that sounded like dictation or menace, that would not have the slightest effect in inducing them to deviate from the line of duty which they have laid down for themselves. In saying this, however, I am afraid dictation from a different quarter has had some effect on the course they intend to adopt. I have no doubt that the Leaders of the Conservative party have most deeply weighed all the circumstances by which they are surrounded. I cannot doubt that they have done that which the Duke of Wellington described as the golden rule of his life—before taking one step to decide what was to be the next. I have no doubt that they have decided, and probably communicated to their Friends, whether this rejection of the second reading is the beginning of a permanent opposition to the passing of this Bill or not. I have no doubt they have reflected upon what is to follow; and if they have not made up their minds to maintain that firm position, I would ask whether they do not think it more for the honour and dignity of this House at once to state that, having declared their opinions against this measure, though they still retained those objections to their full extent, they would not venture to oppose that which had been demanded by the voice of the nation?

There is one argument which has been used, both in speeches and conversation, with regard to the course which this House should take. I have heard it stated that, if you allow this Bill to pass you will confess yourselves powerless, and that as the inevitable struggle must come between this House and the House of Commons, it is better that that struggle should be brought to an issue at once. Now I believe that that argument has been the source of more unnecessary wars, not only among classes, but among nations, than any other argument ever employed. During my life I could almost count the times I have heard that argument used—at periods when there seemed to be some difficulty in preserving peace with our near and good neighbours the French—and I should like noble Lords to tell us what is their judgment now, or that of any reasonable being, in regard to the value of these arguments. Will noble Lords, adopting that argument to-day, tell me that this House is powerless? Why, looking round me, when I see your Lordships' House crowded with representatives of enormous wealth, of great social position, and of eminent services rendered in public and private life—when I see the precincts of this chamber crowded with Privy Councillors, with Members of the other House, with the representatives of Crowned Heads and great Republics, and our galleries adorned—if I may be allowed to say so—with a portion of the human race not altogether without influence—I venture to say that in this world never was erected a more magnificent platform on which men, by their wisdom, their eloquence and their knowledge, could influence the opinions of their fellow-men. But to look at it more practically—will your Lordships tell me—will your Lordships tell my Colleagues on this Bench that your Lordships are without power—we, who are charged every month, almost every week, with measures of the greatest importance, though they may not receive much popular attention, and who have to change, amend, postpone, withdraw those measures at the instance of your Lordships? My Lords, you have power — great power — immense power—for good; but there is one power you have not; you have not, more than the House of Commons—more than the Constitutional Sovereigns of this country—more, I will add, than the despotic Sovereigns of some great empires in civilized communities—you have not the power of thwarting the national will when properly and constitutionally expressed.

I will venture now—to use an admirable word invented by a noble Lord opposite—to Hansardize. I will quote certain expressions used by noble Lords opposite last year, in order that I may show what your Lordships' opinions were then. I will first repeat, if your Lordships will permit me, what the noble Earl, who was then Leader of the House, stated. He spoke with that diplomatic reticence which is supposed to characterize one in the position the noble Earl filled. He said very little, and it amounted to this—He complained that at the last General Election the question of the Irish Church was not even mentioned on the hustings. That was all the noble Earl said; but it implied a great deal. I am sorry to say I cannot find the quotation I had marked in the speech of my noble Friend the noble Duke opposite, who has taken so very warm a part in this matter, and who applied a somewhat humiliating phrase to the poor infant of which I had charge. I remember that he spoke of "kicking it out;" and I think he stated that he thought it was only due to the country that this question, instead of being decided at that time, should be refered back for another year for further consideration. I may refer also to words used, not by a Member of the Opposition, but by a most rev. Prelate, to the effect that the question was one on which the country had not at that time pronounced a decision. Then the noble Duke the late President of the Council (the Duke of Marlborough) said that by rejecting the Suspensory Bill your Lordships would give the people of England an opportunity, which he thought they ought to have, of calmly and quietly considering the question—a course which, in his opinion, we had refused. The noble Marquess below the Gangway (the Marquess of Salisbury) said he quite admitted, as every one should admit, that when the opinion of his fellow-countrymen had been freely stated, it was the duty of your Lordships to yield. The noble Marquess said more to the same effect; and I think the noble Marquess is the only Member on the Opposition who has alluded to the subject in the same way this Session. As far as I gathered, his expression of opinion the other day did not all vary from the declaration which he made last year. [The Marquess of Salisbury: Hear, hear!] What said the noble and learned Lord the present Leader of the Opposition (Lord Cairns) last year? After very strong words as to his opinion of the Suspensory Bill, which from his view I thought he was quite justified in using, he said there were vast issues involved in the Bill, and that those issues had yet to be presented to the country in the great appeal to the enlarged constituencies. Then the noble and learned Lord went on to say that, in that great appeal, the Government of that day would stand defenders of all that the Suspensory Bill and the policy of its promoters would seek to overthrow; and, he added, by the result of that appeal the Government would be prepared to abide. [Lord Cairns: Hear, hear!] I am curious to hear the explanation of the noble and learned Lord will give to these words. The explanation which I have seen suggested, but which I should doubt he will bring forward himself, is that these words only meant that if there was a majority of the House of Commons in favour of that policy he and his Friends would not persist in maintaining the late Government in power. If that were the meaning of the promise it appears to me to have been one of very small value. To me it appears conclusive that, if a man states he is determined to abide by an appeal, he does not mean taking on the very first opportunity every means in his power to reverse the decision of the country. There is another quotation with which I will trouble your Lordships, from a speech attributed to the noble Earl opposite (the Earl of Derby). I think I can recognize it, although we all know how incorrectly these deputations are often reported. He is reported to have said, on the occasion to which I refer, that he was merely an independent Peer: but I venture to say—and I think your Lordships will agree with me—that when a statesman who has been three times Prime Minister of the country, who has led a large party, with an ability and brilliancy of which has been admitted by friend and foe, who continues—although having given up Office—to take an active part both in the deliberations of his party and in this House, adopts any course in reference to a public measure, it is perfectly impossible for him to throw away that influence and responsibility which have grown upon him, and say—"I am merely a private individual." The noble Earl said last year, in reference to the Suspensory Bill, that if your Lordships should say—"Not Content," the subject would come, without prejudice, under the consideration of a new Parliament. The noble Earl added, that your Lordships are always ready to bow to the deliberately expressed and well-ascertained opinion of the country; and he further remarked—"For my own part, I will say that there must be a very decided expression of opinion to alter my judgment on such a question as this." —[The Earl of DERBY: Hear, hear!]—The noble Earl cheers. I apprehend his meaning to be, that no such expression of opinion has been given by the country. My Lords, speaking of the dignity of the House, it is impossible not to feel that the whole tone of the debate last year, and of all those declarations from those who had a right to speak with the greatest influence and weight on the opposite side, led every one to expect they were anxiously appealing to the country in order to know its opinion—an opinion which they hoped would be in their favour. Will it really be dignified on the part of your Lordships to say now to the country—"We waited anxiously for the decision given at the General Elections; if that decision had been in our favour, it would have been a great fact; as it is to such an enormous extent, against us, it is nothing?" Why, my Lords, it reminds me of a phrase which we used to think very facetious at school, but which we never thought very logical even there—"Heads I win; tails you lose." My Lords, the noble and learned Lord opposite (Lord Cairns) is reported to have said he thought it would be desirable, in the proceeding for rejecting this Bill, that the Motion for its rejection should be confided to my noble Friend and Relative, and old Colleague (the Earl of Harrowby) who is now sitting at the table, and he gave as a reason for that opinion that the noble Earl was not a party man. I can quite understand that the noble and learned Lord was really glad to secure the services of one of the most honest and conscientious Members of this House; but I must remind your Lordships that though my noble Friend has most conscientiously abstained from adhering very long to any one particular party in the State, yet, as regards this particular question he has not only thrown himself into the party opposite, but has absolutely made himself leader of an extreme party—I will not say faction—which appears to have had so much influence with the Leaders of the Opposition against the counsels of more moderate men. I have no objection that this Motion should be considered not to be of a party character; but, if so, I hope the same language will be held by every noble Lord opposite, and that, without reference to party, they will all do what they believe to be best calculated to uphold the interests of the country and the honour of the House.

My Lords, I have now to fulfil the pledge which I gave to a noble Baron (Lord Bateman) who put a question to me the other day somewhat irregularly, but which I understood at the time, and know now, was only put with the intention of clearing up a misunderstanding which he thought disadvantageous both for the Government and your Lordships' House. I am asked to speak, and I do so with some difficulty, as to some charge—though I do not know what the exact charge is—made against the Government. I am told that threats have been used by the Government, and that there has been a manner of conducting this Bill through the other House which, by anticipation, has been offensive to your Lordships. My Lords, a very sensible letter appeared in *The Times* of to-day, urging me to be "conciliatory" in my declaration of to-night. My Lords, I trust I know very well the true value of conciliation, and, except in the manner in which we are all liable to make hasty remarks in the heat of debate, I trust that I do not sin greatly against it. But if discretion is a good rule, truth is a better; and I believe that in this instance you wish me plainly and simply to describe what I conceive has been and is the position of Her Majesty's Government, Her Majesty's Government in this matter, as I need scarcely remind your Lordships, have taken immense pains to frame and complete a very large measure on the subject of the Irish Church. Your Lordships also are aware of the signal success with which that Bill recommended itself to the favourable consideration of a large majority of the House of Commons. Now, I understand that one objection taken to the course pursued by Her Majesty's Government is this—that they, backed up as they were by that large majority, refused to allow any Amendments to be made in the Bill in the House of Commons. Now, in the first place, the fact is not so. There are Amendments in the Bill as to matters of detail—some of them trifling, others of an important character; and one Amendment, involving a very difficult question, was positively postponed in Committee at the suggestion of the Prime Minister, with the approval of Mr. Hardy and the acquiescence of Sir Roundell Palmer, on the understanding that it would be better to leave the subject for your Lordships' determination, on the complimentary ground that your Lordships would be the body most competent to deal with it. But, my Lords, there were also a certain class of Amendments which I own were rejected by a majority of the House of Commons, under the advice of Her Majesty's Government—I mean the class of Amendments which were proposed by Mr. Disraeli. I will venture to ask the noble and learned Lord opposite—who, if he did not frame these Amendments, must certainly have given his sanction to them, whether Her Majesty's Government were bound to regard them as *bonâ fide* Amendments, or in the light of Amendments proposed for the purpose of attacking Mr. Gladstone in front, rear, and flank, in order to find a weak point in his armour, and of endeavouring to find whether there was a possibility of breaking the serried ranks of the majority? It seems almost insulting to ask such a question, but if the Amendments were not *bonâ fide* Her Majesty's Government certainly would have been utterly unjustified in accepting them. If, however, on the other hand, they were put forward as being *bonâ fide* Amendments I should be very glad if the noble and learned Lord, when he speaks in the course of the debate, would explain their somewhat extraordinary character. I have referred the whole of them to a professional gentleman of great statistical eminence, who has worked out the results that would follow their adoption—the Paper is a very long one, but I have it in my possession — and he finds that without giving any compensation to Maynooth or to the Presbyterians, £1,300,000 or £1,400,000 would be required over and above the highest estimate at which this Bill places the Church property to carry them into effect. Under these circumstances, I should like to know whether Her Majesty's Government were right or wrong, or were in any way disrespectful to this House by anticipation, in refusing to accept Amendments which would entail such a result. My Lords, it is very difficult for me, and, indeed, it would be perfectly impossible for me, to speak for the House of Commons, or for any large portion of that body, but I have not the slightest doubt that the House of Commons was disposed to support Her Majesty's Government in any course they might point out as being the most just and reasonable that could be followed under the circumstances. But, my Lords, supposing that every possible Amendment that by any strain of their judgment Her Majesty's Government could bring themselves to think consistent with the principle of their Bill had been acceded to, in what position would your Lordships' House have been placed? Why, it would have been impossible for the Government to have conceded to any single Amendment that your Lordships might think it right to make in the Bill. But as the matter now stands, I on the part of my Colleagues and myself, have to state that—proud as we are of the charge that has been committed to our care, and determined as we are earnestly to adhere to the principle and to the main provisions of the Bill — we are not only ready to gratefully welcome any alteration in the details which appeared to us likely to have a beneficial effect, but we should think it an absolute duty to carefully consider every alteration that may be proposed by your Lordships. More than that I cannot say, and more or less I ought not to say.

My Lords, the noble Earl opposite, whose forcible language so often carries conviction to the minds of his enthusiastic audience, has stated that the question of the Irish Church is not a question of politics, but a question of the Bible. What! the Irish Church not a political question? Will the noble Earl repeat that statement to your Lordships, who know something of the history of that Church since its establishment 300 years ago, and who know that the great bane of that Church is that it has been constantly steeped in politics, and politics of the worst description? And now, when we come forward for the first time with a real and possibly a successful effort to deal with the question by taking away that political character from that Church, planted as it is in the midst of a population the large majority of which do not agree with its doctrines, we are told that the question is not a political one. I do not yield in respect for the Bible to the noble Earl; and when I look to that portion of the Bible which supplies Christians of all denominations with their system of morals, I find in it a precept which no repetition can render stale, which no misapplication can vulgarize, and which, in twelve short words, gives to us our line of duty as between man and man. My Lords, I will venture to ask again this evening a question which I asked last year—a question which had been asked scores of times before and hundreds of times since—will any of your Lordships answer that question, and say that if the relative positions of this country and of Ireland had been changed—if Ireland had been the stronger for three centuries, if she had imposed upon us a so-called national Church with which we did not agree, and which monopolized to itself all the ecclesiastical titles and all the ecclesiastical wealth of the country — should we, when that pressure was removed, have consented to such a state of things being continued? My Lords, that question has not yet been answered—I believe that it is unanswerable. Will the noble Earl who is about to move the rejection of this Bill commence his speech by stating in a direct manner—and we all know how perfectly honest any answer from him will be—that he can give an affirmative answer to that question? If the Holy Scriptures are to be dragged into this discussion, I say we have a right to claim that they are with and not against us when we are endeavouring, in the words of Her Majesty's gracious Speech, "to promote the welfare of religion through the principles of justice and equality," and when we wish to do unto Ireland that which, if she were the stronger, we should wish Ireland to do unto us.

My Lords, it is impossible for me to sit down without expressing my feelings of respectful gratitude to your Lordships for the remarkable manner in which you have conceded to me that indulgence and forbearance which I ventured to ask for when I commenced my speech.

Moved, "That the Bill be now read 2ª."—(*The Earl Granville*).

THE EARL OF HARROWBY: My Lords, being little accustomed to address your Lordships at any great length, I have to ask your Lordships' indulgence if I fail to express myself in a manner adequate to a subject of this gravity and importance, and I will at once say that I should not have presumed to take so prominent a part in this matter of my own mere motion. I have no pretensions to represent any considerable body of your Lordships; but at a meeting of many noble Lords sitting on this side of the House, which I was invited to attend, having stated my views upon the subject of the Bill now under consideration, I was requested by those who had the management of the proceedings to undertake the duty, the performance of which I am now about to attempt. I make this statement in order that your Lordships should fully understand that I make no pretensions of my own to take the lead upon this question, and that I am merely accepting a part imposed upon me by others, believing it to be my duty to take any share assigned to me in a matter upon which I feel so deeply.

My Lords, the noble Earl opposite (Earl Granville), in going through the history of this question, attributed its commencement to a speech of Lord Mayo, a member of the Administration of the noble Earl (the Earl of Derby), declaring a line of policy to be pursued towards Ireland—a line of policy which those who sat on the Opposition Benches did not approve, and to which they therefore felt themselves compelled to come forward and declare an antagonistic policy of their own. I am not here to defend Lord Mayo or those with whom he acted—I was not connected with Lord Mayo or with the Government to whose views he gave expression—but, at the same time, I must inquire what was the declaration which was so eagerly caught up by the party opposite, and which made them feel the necessity of coming forward with a new policy for Ireland? It was an observation, or at least an indication, on the part of the noble Lord, that the then Government wished to do something to improve the position of the Roman Catholic priests of Ireland. Upon this a violent attack was made upon the Government, and that appeal to public opinion was challenged, the results of which we see in the change of position of the two parties. To this simple declaration is attributed the sudden conclusion on the part of my noble Friend and the party opposite, that it was immediately necessary to initiate a policy entirely new—one never before heard of from any statesman, Whig or Tory. It is not the policy of Mr. Pitt, but entirely the reverse; it is not the policy hitherto of any statesman of eminence; it is a policy which I venture to say is entirely at variance with their own most cherished views. What was it then that compelled the present Government to come forward all of a sudden and proclaim a policy in opposition to their own creed; for I will affirm boldly that there was not a man sitting on the other side of the House who did not approve the very tendency into which Lord Mayo's speech betrayed him — there was not a man, I venture to assert, sitting upon those Benches, who did not approve the proposal to improve the position of the Roman Catholic priesthood? They all wish and desire it; but because the suggestion came from the other side of the House, they immediately made an appeal to the public in an opposite direction, and raised that flame of political prejudice which proved fatal to the Government. Now, was that honest? The matter, however, does not stand there. We have something to show us that, although the public were not aware of it, the action which was thus taken was really a foregone conclusion on the part of noble Lords opposite. We know from well-ascertained sources that, in 1866, when Mr. Gladstone's Reform Bill was labouring under difficulties, the Roman Catholic Members made some difficulty about giving their support, and thereupon some negotiations passed between those who represented Mr. Gladstone and those who represented the Roman Catholics of Ireland as to the terms on which some sixty Members should give him their support. We have this fact clearly stated in a letter from the gentleman who negotiated the transaction; he tells us the whole story himself. Will you let me read the letter? In a letter to the *Tablet*, dated April 21, 1866, Mr. Dillon tells us—

> "The course which the Roman Catholic party have resolved upon is to give an unconditional support to the Extension of the Franchise Bill. I say unconditional in this sense, that we have not gone to Mr. Gladstone and demanded formal pledges from him in respect of Irish measures as the price of our votes, but not in the sense that we are entirely in the dark as to what the Government are likely to do. The relations of the National Association towards the Government may be thus shortly stated—The Association has put forward four claims; the reform of the land laws, the removal of the obnoxious oaths, freedom and equality in education, and the disendowment of the Established Church."

This was in April, 1866, long before Lord Mayo's speech. The letter goes on to say—"The Government concedes the first two in full at once"—we know that an Oaths Bill did become law with considerable modifications introduced in this House to protect the Act of Settlement, which Mr. Gladstone had refused to protect in the Lower House—"they give an instalment of the third"—I suppose that last passage alludes to the charter to the Catholic University, which it was promised to the House of Commons should not be proceeded with without the further consent of Parliament, but which, as soon as the House of Commons had separated, was attempted to be given, though afterwards it was declared to be illegal—"and as to the fourth, they ask us to wait a little, as their hands are full, bidding us in the meantime 'God-speed.'" It is therefore clear that, in 1866, the Liberal Government of that day had made up their minds that they would deal with this question.

EARL GRANVILLE: Where is that from?

THE EARL OF HARROWBY: It is a letter from Mr. Dillon to the *Tablet*.

THE EARL OF KIMBERLEY: Is that the late Mr. Dillon?

THE EARL OF HARROWBY: I do not know whether he is dead or not; but the letter is one that is authoritatively written.

EARL RUSSELL was understood to say that he had never heard of it.

THE EARL OF HARROWBY: That only shows how important it is that a Prime Minister should have an accurate knowledge of the transactions of his own Government, as to which he may sometimes be kept in the dark by his Colleagues. It is possible, of course, that I may have been misled; but when we have a gentleman who was one of the chief negotiators coming forward at the time to give publicly the details of an arrangement with the Government of the day, it is only natural to suppose that he writes with some authority. The next authority I shall quote is one which will not be disputed. It is all-important in dealing with this measure to know the source from which it originated, and the views of those by whom it is supported. The Bill professes to be one which shall do something very beneficial for Ireland. Is it one which has arisen from the desire to do something for Ireland, or is it one which has its origin in pressure from another quarter? Let us see another of the parties active in its promotion. In September, 1867, the Liberation Society sent over a mission to Ireland, which had the assistance of Mr. O'Neill Daunt, who boasted afterwards, at a public meeting, that he had been the medium of procuring, from the heads of the Roman Catholic Church, an assurance that they would not accept an endowment from the State in case the Irish Church was disestablished. Thereupon, and upon this compact, the Liberation Society undertook that, in their hostility to all State Churches, the first attack should be directed against the Irish Church. The whole story is told in the reports of the society; they avow that this course was taken because they thought that, in attacking the Irish Church, they were attacking the weakest part of the English Church. Accordingly, it is necessary to consider the proposal of the Government upon a wider and broader basis — not purely as an Irish question, but as the opening of a campaign in which we know that we are about to be engaged — it is not a battle, it is a campaign, and the question is where shall we begin our resistance. My noble Friend (Earl Granville), I think, will admit that this is a grave question—a very serious question, going down to the very roots of our Constitution, and mixing itself up with the Act of Union and with many of our most solemn pieces of legislation. Hence it is not a matter to be lightly taken up, or to be adventured upon without considering what advantages are to repay us for the very great disturbance that is thus created. And what I find fault with especially is the shallow policy of the Government in omitting to count the cost of the undertaking before they ventured upon it. They will say perhaps it is the fault of those who are raising an outcry against the Bill. You might just as well embark in a cockboat to cross the Atlantic and not expect the waves and winds to blow as expect that this measure should pass without exciting commotion. Why, one of your own Colleagues has admitted that to propose such a change would be revolution. Sir George Grey said so only a few years ago. Mr. Monsell, himself a Roman Catholic, and now a Member of the Government, told you something like it in the House of Commons. Those who oppose this Bill are called "fools," "bigoted," "narrow-minded," "intolerant," and other hard names, because they do not at once acquiesce in so great a change; but your own friends have told you that the change amounts to revolution, and the question is what are you going to get in exchange—what is the equivalent for all this? My noble Friend opposite is not unacquainted with the Coronation Oath; my noble Friend the Chairman of Committees from time to time has reminded him of its terms. I am not prepared myself to go the whole length with my noble Friend (Lord Redesdale), because I can hardly conceive it possible that there can be, *a priori*, an insuperable obstacle to subsequent legislation under all possible circumstances. But, at the same time, I must acknowledge that it is a very solemn oath, taken upon a very solemn occasion; framed as a protection, and looked to as a bulwark. It cannot, therefore, be treated lightly; and those who regard it as of no value at all, and are prepared to deal with it in that spirit, seem to me hardly fitted to be trusted with the conduct of public affairs. We must look at the effect which the disregard of such an oath will produce upon the public mind; this must, I maintain, form an element in the consideration of your Lordships. I find the Coronation Oath has been appealed to on all occasions as a security and safeguard. Mr. Curran, speaking before the Union, said that Protestants would have the safeguard of the Coronation Oath; plainly, therefore, he, at least, looked upon it as a security. If time permitted, I could bring forward passages innumerable to show that from time to time the Coronation Oath has been referred to as a security for Protestantism. Is it now to be cast aside and treated as a figment? To do so is to shock the public conscience by leading men to feel that there is less binding force in the obligations of the Monarch to her people than they had hitherto supposed. I say again, it is no light matter, and that you ought to think how far you are troubling the public conscience before you deal with an oath so solemn as the Coronation Oath. Then, again, as to the Act of Union. For a like reason I cannot say that the Act of Union is in itself for ever an insuperable bar to all change—I do not believe that any act of legislation can tie up all posterity. But, at the same time, this is a very peculiar Act—it is a treaty between two nations. When we enter into a treaty with a foreign nation we do not feel at liberty to say that it shall cease—nothing warrants us in doing so short of a war, or of common consent. In this case have you the consent of the parties who looked upon this provision in the Act of Union as a security, and who gave up their independence with great reluctance on the faith of it? No, the case is exactly the reverse. An assurance was given to quiet the apprehensions of one party as to the power of another; and now, at the request of that other party, you are taking away a great security from those to whom it was given. It is not surprising that the Protestants of Ireland should feel that they have a particular claim upon the protection of the Act of Union, and that you are shaking your hold upon them as members of the same union, when you propose so material a change in the compact by which they have been united. I mention these things, and lay some stress upon them for a reason which I shall afterwards state—not to plead them as insuperable obstacles to your proposed legislation, but as matters which must be weighed carefully in the consideration of this question, and which require a great balance of advantage to outweigh them. But, putting aside all the obligations of the Coronation Oath and of the Act of Union, I would ask, is it really a light matter to break up the Irish Church Establishment? Supposing your hands were entirely freed from such obligations as I have referred to, is it, I repeat, a light matter to break up the Irish Church? How have statesmen acted upon the present question until within twelve months ago? Have not noble Lords, who have filled the most responsible positions, felt the importance of the Protestant Church in Ireland as a great bond of union and connection between that country and this? I have the words of high authorities on this point before me, and I will take the liberty of reading some of them, because they are so strong, and because they are not the utterances of men who say hasty things under the stress of party politics. I could quote from Mr. Plunket, from Mr. Burke, and also from a man who would not be held in the same rank, although his opinion is valuable for another reason—I mean Lord Castlereagh—who tells you the principle on which he framed and built up the Union. Lord Castlereagh, speaking in an Irish Parliament, which he was persuading to give up their independence, said—

> "I now proceed to that part of the question which concerns religion and the Church Establishment of this country. One State, one Legislature, one Church—these are the leading features of the system; and without identity with Great Britain on these three great points of connection we can never hope for any real or permanent security. The Church, in particular, while we remain a separate country, will ever be liable to be impeached on local grounds. When it shall once be completely incorporated with the Church of England, it will be placed on such a strong and natural foundation that it will be above every apprehension and fear from adverse interest, and from all the fretting and irritating circumstances connected with our colonial situation. As soon as the Church Establishment of the two kingdoms shall be incorporated into one Church, the Protestant will feel himself at once identified with the population of the Empire, and the Establishment will be placed on its natural basis."

That, I think, my Lords, gives the Protestants of Ireland some claim to regard the Act of Union not as a common Act of Parliament. But what did Lord Castlereagh say in England afterwards, discussing a question of this kind? He denied that under the Act of Union the Protestant Church of Ireland could be at all modified. "No man," he said, "would suppose that any of the covenants of that Act of Union would be made the subject of legislation." That is a most important point in my estimation. I will now take leave to refer to some of those great names which smell sweet in the recollection equally of Englishmen and Irishmen, and I will read you their opinions in this matter. Sir Robert Peel says—

> "I quote not the opinions of men prejudiced in favour of Protestant ascendancy, bound by the ties or stimulated by the excitement of party to uphold the predominance of the Church. I quote the authority of those who were the most powerful, the most uncompromising, the most effectual advocates for the removal of the Roman Catholic disabilities and the establishment of perfect civil

equality among all classes of the King's subjects. I quote the authority of Burke, who, speaking of the Established Church in Ireland, considers it 'a great link towards holding fast the connection of religion with the State, and for keeping these two islands in a close connection of opinion and affection. I quote the authority of Plunket, who declared the 'Protestant Establishment in Ireland to be necessary for the security of all sects, to be the great bond of union between the two countries, and who emphatically declared that to lay our hands on the property of the Church, or to rob it of its rights, would be to seal the doom and to terminate the connection between the two countries.' [Are these the words of a wild and bigoted Tory ?] Lastly, I appeal to the solemn, the dying declarations of Grattan—of him who fought to the last hour of his existence with desperate fidelity in the cause of his Roman Catholic fellow-countrymen. In his last moments he had strength sufficient to dictate a paper, of which the following is a faithful extract :—'Resolved,—That a Committee be appointed with a view to repeal the civil and political disabilities which affect His Majesty's Roman Catholic subjects on account of their religion. Resolved,—That such repeal be made with due regard to the inviolability of the Protestant religion and establishments. Resolved,—That these resolutions do stand the sense of the Commons of the Imperial Parliament on the subject of civil and religious liberty, and, as such, be laid before His Majesty. These Resolutions contain my sentiments ; this is my testamentary disposition, and I die with a love to liberty in my heart, and this declaration in favour of my country in my hand."

My Lords, I fully believe that it is essential to the cause of civil and religious liberty in Ireland that the Protestant Church should not be destroyed. Its destruction I am persuaded would put an end to all civil and religious liberty in Ireland. I know something of Ireland myself. I have been there several times, and have had opportunities of studying it; and I know that civil and religious liberty has already little place there. I have seen a clergyman, still suffering from the injuries which had been inflicted upon him when he had been dragged from the death-bed of a sick man at the bidding of a Roman Catholic priest, because the man was a Protestant convert. I have seen a boy, bleeding from the beating he had received, because he went to a Protestant school. Now, if such things can take place under existing circumstances, is it likely, I ask, when the support of civil authority is withdrawn from Protestantism, when the Protestant clergyman is withdrawn, when the Protestant gentry are half driven away, as they will be, by feeling that they are humiliated in the sight of their neighbours, and deprived of that consolation, advice, and assistance which they and their children have heretofore enjoyed under the faith of the Imperial Parliament—that civil and religious liberty will be maintained in Ireland, not to say promoted and increased? Mr. Grattan held the same opinion, regarding it as essential to the existence of civil and religious liberty in Ireland that the Protestant Church should be upheld. We are told that the policy of the present Government is not a new policy, but that it is of sixty or seventy years' standing. I entirely deny it. We are told that the authority of Mr. Pitt exists in favour of this measure; but Mr. Pitt, although he wished to endow the Roman Catholic priests of Ireland, never suggested and never thought of such a thing as your principle of so-called "religious equality." His policy was exactly the reverse. I have referred to the opinions of Sir Robert Peel, Mr. Plunket, and Mr. Grattan, and let me say that I would rather be supposed to err with such men than to be right with Mr. Miall. Noble Lords are more indebted to Mr. Miall than they seem to be. My noble Friend boasted of their discovery, after much labour, of the manner of disposing of their surplus—a question, he said, which had embarrassed every one. Well, only this morning I chanced to light upon the account of a debate in the House of Commons, in 1856, upon the question of the Irish Church, promoted by Mr. Miall himself, who made a very able and temperate speech. He was instructed to make that speech by the Liberation Society as the opening of the campaign. And what were the distinct propositions then made by Mr. Miall? It is a very odd circumstance that they were, *totidem verbis*, the same as those of the Bill now before your Lordships. Mr. Miall recommends that the Church should be broken up, and he shows how it is to be done. On that occasion Mr. Miall said—

> "Well, Sir, I would suggest, with a view to this, the constitution of a special Court for a limited term, analogous to the present Incumbered Estate Court, and having at once the powers of an executive commission and also of a Court of Equity."

Is not that the proposal here ?

> "I would vest in that Court the fee simple, if I may say so call it, of all State ecclesiastical endowments in Ireland. It would take possession at once of the fund standing in the name of the Ecclesiastical Commissioners in Ireland, and to it

would be annually paid the sum charged upon the Consolidated Fund for the endowment of Maynooth College, and the grants voted by this House for Belfast Professors and Nonconforming Ministers; but in the case of the endowments and property of the Protestant Episcopal Church, with the exception I have already named, it would come into possession only upon the decease of each existing beneficiary. The first claimants upon the funds thus accruing would be those clergymen who, in case of the abolition of Ministers' money, the repeal of the Maynooth Endowment Act, and the discontinuance of the *Regium Donum*, are entitled to receive whatever they now receive from the State during the remainder of life. This list, of course, would be gradually cleared off by the death of the recipients. The second class of claimants would be the private patrons of livings, who have a right to expect full compensation for the somewhat anomalous, but yet legally recognized, property which State policy would extinguish. They, however, do not number in Ireland above 300 altogether. The third class of claimants would be Protestant congregations, who have voluntarily expended their own money in the improvement of the Church property of their respective parishes."

My Lords, I am afraid that class has been omitted here.

"I suggest that the Court should act as a Court of Equity in determining the validity and amount of such claims, subject to appeal, if it be wished, to a superior tribunal, and that it should be authorized to pay over to individual claimants, or to trustees on behalf of Protestant congregations, such compensation as may be legally awarded."

That also has been entirely omitted from this Bill.

"The property left in the hands of the Court for the benefit of the Irish public would comprise Church edifices, glebe houses, lands, rents, rent-charges, &c. With respect to sacred edifices, I think, perhaps, the most satisfactory arrangement would be to leave Protestant Episcopalian congregations in undisturbed possession of them."

So that Mr. Miall, the head of the Liberation Society, is quite as indulgent as the present Government.

"And in respect of land and glebes, the Court would have the power of sale. The rent-charges would constitute the main difficulty, because, if left in their present shape, it would be necessary to maintain an extensive and costly machinery for their collection. I would suggest that power be given to the landowners to redeem them at —say ten or twelve years purchase. Well, Sir, the whole of the net property thus accruing to the proposed Court by the falling in of life interests ought, I think, in common fairness, to be expended in Ireland."

But compensation to Maynooth and the recipients of the *Regium Donum*, which used to be charged on the Imperial Exchequer, is now to be thrown on Ireland.

"I suggest that this property should be made available, in the first place, to the founding and supporting of infirmaries, hospitals, lunatic asylums, and reformatories, and that what is not required for these objects should be laid out, under the direction of a Board of Works, in the construction of piers, harbours, lighthouses, and quays, in providing arterial drainage, in deepening rivers, and in such other public undertakings as would best develop the great natural resources of the country.—[3 *Hansard*, cxlii. 734.]

Now, surely, we have here a very curious coincidence. At that time Her Majesty's Ministers voted against it. Lord Palmerston made a very remarkable speech on the occasion; and I find on the list of those who divided against the proposal the name of "William Ewart Gladstone." Now, I do not mean to bring any charge against Mr. Gladstone because he changed his mind between the age of thirty and fifty-six; but surely this is a rather sudden change of opinion occurring within the last few years. I allude to the fact, because the proposal of Mr. Miall is, obviously, the very counterpart and model of the present measure. We now therefore know the origin of the present measure. It is a measure of the Liberation Society as a part of a campaign against Church Establishments; and not a measure for purely Irish objects.

My Lords, I might point out at great length the importance which every one of our statesmen has attached to the maintenance of the Irish Church — I believe no statesman has ever before proposed its destruction. I say this is a perfectly new question; and that is one of the grounds on which I ask your Lordships to act. The noble Lords opposite, themselves, not many months back, objected to such a scheme. Even the noble Earl at the table (Earl Russell), till within a few weeks, was for levelling up — not for levelling down. Is there no difference between the two things? Is there no difference, as regards the feelings of the people of Ireland, between sweeping away the national Establishment and levelling up as regards the members of the different religious communions? Is there no difference as respects the Act of Union? Is there none as respects the Coronation Oath? I do not now say whether, in entertaining that view, my noble Friends opposite were right or wrong. I persist, then, in my assertion, that the question now before us is a new one, new to us, new to the country, and that is one, among other grounds, on which I shall ask your Lordships to read the Bill a second time this day three months, and thus give an opportunity for its re-consideration.

My Lords, I think I have shown from what source this measure proceeds. It proceeds from a negotiation with the Roman Catholic hierarchy, and from the urgency of the Liberation Society, who have made it so much their work for the last twenty years, that it is not surprising that there should be some result. That society has been actually publishing tracts for Sunday school teachers, telling them they are to teach their children dogmatically, before they are able to understand the question, that hostility to an Established Church is the first principle of the doctrine of Christ. When such fanatical measures have so perseveringly been had recourse to, I repeat it is not surprising that some effect should follow; and I believe that to the action of this society, which forms a common link between the various Nonconformist bodies, the result of the last election is to a great degree due. At any rate, it appears due to them, in a great degree, that Her Majesty's Government have taken up the question in its present shape. My noble Friend (Earl Granville) has told us that we should make a great mistake if we tie up the question of the Irish Church with the English Church. If it is one, this was just one of those mistakes which my noble Friend ought to have known beforehand would be made. Did he believe that when a part of the United Church was assailed the English Church would not feel itself wounded? We all know that the Liberation Society has attacked the English as well as the Irish Church, and it has told us plainly that this is the first movement in the direction of the abolition of all Church Establishments. When, therefore, the Liberation Society came forward and told us—we will make our first movement against the Irish Church, did my noble Friend believe that the English Church would be under no apprehension? And is it any wonder that the English Church should take alarm when it finds that part of the tactics of the Liberation Society are embraced by Her Majesty's Government, and that it should remember the well-known words —*Jam proximus ardet Ucalegon?* We have had assurances from Ministers, solemn declarations from Prelates, declarations on oath from professors of the Canon Law in Maynooth, that this property, held for 300 years, was by every law, human and divine, secure. If all these assurances are to go for nothing, at any rate any new assurances now made and given in favour of the Church of England cannot, under these circumstances, give us much comfort. If the doctrine of religious equality is to be maintained against the Irish Church, it may, at no distant day, be thought equally good against the English Church. There is, undoubtedly, a great difference between the two Churches, but they have some things in common; they have their common Episcopacy; their common connection between Church and State; but, at any rate, if you proceed on the ground of a common religious equality in attacking the Church in Ireland, will not the same ground be available as against the Church of England? It is, indeed, no light matter to make a move in this direction. It creates great apprehension—it shakes all property, and although, no doubt, there are wide distinctions, as in the case of the Churches, between different kinds of property, Her Majesty's Government, before embarking in legislation of this description, ought to have anticipated that such general apprehensions would be awakened. The security of all property is unsettled. You cannot touch one great mass of property — £16,000,000 worth of property—without producing a corresponding effect on the market without giving a severe shock to the security of all investments, to all property — first corporate property, and then even private property. The effect upon investments in Ireland is already an ascertained fact. The Government cannot be altogether indifferent as to another effect of this Bill; they cannot consider the feeling which it has excited among 1,500,000 of our fellow-Protestants in Ireland to be a matter of trifling concern. Hitherto it has been held to be a point of some importance to this country that we should have Protestant friends in Ireland; and we know that Roman Catholics, whatever other merits they may possess, have not that strong feeling of attachment to this portion of the Empire which the Protestants entertain.

If this measure should be passed, do Her Majesty's Government expect that there will be more or fewer churches and parsonages in Ireland, or that there will be in that country a greater or smaller number of those Protestants whom it has always been considered so desirable to see forming a considerable portion of its population? Some of their arguments would lead us to suppose that, in their opinion, after the passing of this measure, the number of Protestants in Ireland would not diminish, but that, on the contrary, they regard the proposal as an advantage to Protestantism, by relieving, as they call it the Irish Church from a state of bondage, and from an odious position. If so, how will the irritation supposed to be now existing be appeased by the measure now in hand? Is it to be expected that the people will draw a fine distinction as to the extinction of a State Church, because they are told that the rent-charge goes to the State instead of to the clergyman? It will be little satisfaction to the Roman Catholic if he sees the same external circumstances as before—the same churches, and the same ministers. If, on the other hand, there should be fewer Protestants and fewer Protestant clergy it would be a great loss to Ireland. You want more ministers in Ireland, and not fewer. Is it not known to every one that the Irish clergyman is regarded with confidence, and valued higher by the poor, who have no pecuniary connection with him than they have with the priests—for when they go to the priests they have to pay, but when they go to the Protestant clergyman they receive? It is no small matter in a country like Ireland, where there are not many resident gentlemen, to have a body of residents—respectable, kindly gentlemen in every district, firmly attached to England and the Church of England, and linked by bonds of friendship and amenity with their neighbours. Or do my noble Friends opposite expect that this Bill would make no change at all? If so, where will be the benefit? The only result would be that there would be the same number, only worse educated, worse maintained, less able to help themselves or others. In any case this is a great revolution, and for what purpose—with what result? I have often asked Irish gentlemen, Whig and Tory—"Do you really expect that you will do great good in Ireland by this Bill?" and I never met with one who said it would do the slightest good to Ireland. The cry is "Justice to Ireland:"—but is this justice to Ireland? I do not think it is. It is certainly a great injustice to take away from an institution which has not misused them the endowments which they have long enjoyed under solemn engagements. Is it justice to the Roman Catholics? Having taken this property from the Established Church, do you purpose to give it back to those from whom you say it was robbed? You say—"No, they will not have it." But, at any rate, this is not full justice. It is whole injustice to one party and only half justice to the other—if it is justice at all. It is merely a measure for the humiliation of Protestants and for the exaltation of Roman Catholics; but it leads to no permanent good. Do not the Roman Catholics themselves tell you, as the Romish Bishop Goss, of Liverpool, has done, that they should have their property back again. Are not the *Westminster Gazette* and the other Roman Catholic organs constantly telling you this? Is this a measure of peace and conciliation to Ireland? I deny it altogether. The peasants will not be conciliated by it. They have not asked for it. Of the four propositions which were put forward for the benefit of the country the first is the land question, and the last is the destruction of the Church. In all the meetings held in Dublin and elsewhere in support of measures of this nature, the Roman Catholic hierarchy have been obliged to float this measure by the land question, or else they would never have been able to lift it over the bar.

My Lords, I should have very little doubt about your Lordships' conclusion upon the Bill if you were merely to express the sentiments you entertain upon it. Substantially it is the same measure which was foreshadowed in the Suspensory Bill which your Lordships rejected. My noble Friend (Earl Granville) has quoted the language of several of your Lordships who opposed the Bill last year, inferring that they did not mean to make a permanent resistance to it, if that resistance was distinctly shown to be in opposition to the will of the people. The language quoted was that of the noble Marquess near me (the Marquess of Salisbury), who said that your Lordships must yield to that expression of public opinion which was permanently sustained. Now, I do not hold that this House can permanently sustain itself against public opinion; but I feel that the House has at least this grave function in the Constitution — to give time for the further consideration of such questions as this. As has been said, it is your position to resist the sudden breezes of opinion, but when the settled trade wind blows, you must give way. This House has on more than one occasion acted in such a manner as to enable the permanent public opinion to be ascertained and acted upon. We are now in more democratic latitudes; but we know very well that all democratic countries have experienced the necessity of establishing some check in order to insure the public safety against sudden impulses. In America, the most democratic country of all, particular pains have been taken to secure an efficient check. By the Articles of the American Constitution that Constitution can only be altered by a majority of two-thirds of each branch of the Legislature, and even then the whole result must be submitted to the people at large. We have no such protection. Our Constitution is even more democratic than that of America in this respect. In America they have the check of the Senate, which we have not; they have the check of their Federal Assemblies, which we have not; and, above all, they have the absolute veto of their President, which we have not; for we all know from the experience of the last century and a half that the veto of the Sovereign in this country is a fiction. If you increase the democratic element without retaining the existing checks of your Constitution you will end in having a pure and simple democracy without any checks at all. Is it reasonable that a measure not twelve months old, of so revolutionary a character, infringing the Act of Union in one of its most material points, disestablishing the Church in one of the three branches of the United Kingdom, and adopting a principle entirely new to legislation, not only in this country but in every country in Europe and everywhere except in the United States of America, should be hurried through in this way? Is it surprising with so new and revolutionary a measure that we should ask for further time to consider it? Moreover, I believe that the working classes—those at least who pay any attention to politics —are, at this moment, looking to your Lordships to give them that time for the consideration of the question which they think the importance of the subject deserves. If you now pass this Bill you will inflict a fatal blow upon this House. The democracy are expecting you to give them time; they are coming by hundreds and thousands, expecting and urging you to do so; they are holding public meetings, and doing everything in their power to express their wishes — and will you turn and say—"No, we are afraid?" Will you assent to the view of those who declare that, as this measure has been passed by the House of Commons, of course it must be passed by the House of Lords? I repeat that if you do so you will strike a grievous blow at this House, and at the Constitution, and will show a blameworthy disregard for the feelings and religious convictions of large masses of your fellow-countrymen, who are praying you to give effect to their wishes, and your own convictions. From that blow you will never recover, nor will you ever recover the place you will thereby lose in the confidence and affections of the people. I have had particular opportunities, enjoyed by few of your Lordships, of mixing with the working classes of this country. I have seen them individually and in great masses. I know the strength of their religious convictions, and the hearty respect which they entertain for your Lordships. I am sure that this Bill goes against the well-considered opinion of the country; and, at any rate, I ask your Lordships to give further time to the country before this great revolution is accomplished. I beg to move that the Bill be read a second time this day three months.

Amendment *moved* to leave out ("now") and insert ("this day three months.")—(*The Earl of Harrowby.*)

THE EARL OF CLARENDON: My Lords, whatever may be my opinion of the decision come to at the meeting of noble Lords opposite last Saturday week, and of the degree of foresight there displayed, I cannot but admit that they displayed great judgment in selecting my noble Friend (the Earl of Harrowby) as the leader of this attack—which I hope I may call a forlorn hope, and one which cannot possibly succeed. I think that great judgment was shown in selecting my noble Friend, because I doubt whether any other Peer could have said so many strong things with the same conscientious conviction that every one of them was true. My noble Friend is known to be no political partizan; he has pursued through life an independent course of action, and his opinions are always listened to with respect; but my noble Friend has brought his mind, by a process which I shall not attempt to analyze, to think that this Bill would be a fatal blow to this House and to Protestantism. Now, we are all accustomed to strong expressions, and occasionally to great misrepresentations on some occasions; and my noble Friend is old enough to remember various occasions of this nature when certain political changes were proposed. He must, for instance, remember the alarm exhibited when it was proposed to repeal the Test and Corporation Acts. He must remember the absolute severance of social ties which marked the progress of Reform in 1831. He must remember, also, the indignation excited in Ireland when my noble Friend opposite, then Mr. Stanley, ventured to affirm that twenty-two Bishops were rather a redundant allowance for the Protestants of Ireland, and suggested that twelve would be enough. He must remember the mass meeting of the Bishops and clergy of Ireland, who then and there resolved that the King would violate his Coronation Oath, that the Act of Union would be violated, and that the Protestant mission in Ireland could not survive if those ten bishoprics were suppressed. My noble Friend must remember still more vividly all that passed in this country at the time when the principles of Free Trade were first adopted, the conflict which ended in the repeal of the Corn Laws, and the manner in which Sir Robert Peel was driven from Office and hounded almost to death by his own party for the patriotic manner in which he carried out his own convictions. Precisely the same language is now held with respect to Mr. Gladstone; and in reading some recent speeches at Manchester, I was reminded of an incident which happened to myself, and which is not inapplicable just now. It was at the time of the agitation for the repeal of the Corn Laws. I happened to get into a railway carriage, only one seat in which was vacant, the rest being occupied by men of the farmer class, who were returning from an agricultural show. Their conversation consisted of bitter abuse of Sir Robert Peel, who they said they all knew was interested in the ruin of agriculture, because all his property was invested in the funds. I ventured to take the side of Sir Robert Peel, adding that I was not a personal friend of his and did not belong to his party; upon which the Nestor and spokesman of my fellow-travellers said—"Well, Sir, what you say may be true or false; all I know is that if Sir Robert Peel appeared in Salisbury market tomorrow morning there would not be a square inch of him left in five minutes." Judging from what one reads, Mr. Gladstone would be torn piecemeal in the same way at the hands of men whose fanatic zeal has been maddened by men much superior to them in education. My noble Friend (the Earl of Harrowby) has said that this is a new question, and that the measure now before your Lordships was brought forward for the purpose of outbidding Lord Mayo. A little later he proved to his own satisfaction that the scheme is entirely borrowed from Mr. Miall. Now, my noble Friend cannot be right in both cases, and I think he was wrong in both. There was no agreement with Mr. Dillon, or with those whom he represented. There was no understanding with the Liberation Society. The whole thing is a fiction existing in the mind of my noble Friend; its only foundation arises from the exercise—the lively exercise—of his imagination.

With respect to the Bill, so far from the subject being new to the country, it has been before them for the last year and a-half; there have been many discussions upon it; and it is so well understood by the country that I feel I can add nothing new and nothing of importance to the discussion—especially after the lucid and able explanation of my noble Friend (Earl Granville), who, I undertake to say, made this Bill, complicated as it is, perfectly intelligible to all your Lordships. Indeed, I think the speech is one will improve his official position in the eyes of my noble Friend opposite (the Earl of Derby), who said that the Government consisted of only two persons, Mr. Gladstone and Mr. Bright. But, after my noble Friend's speech in introducing this Bill, I think he will admit that the affairs of this country are administered at least by a trio. As the Bill has come up to this last court of appeal, I agree that we should solemnly, laying aside all prejudice, ask ourselves whether it is just and necessary that the Irish Church should cease to exist as an Establishment; and, if so, does this Bill afford a means desirable and just? First, let me say how entirely I agree with my noble Friend (the Earl of Harrowby) as to the virtues—I know them well—of the Irish clergy in the limited field which they possess. I know that to a certain extent the Irish Church does promote religion and morality. But I have lived in Ireland before I became Lord Lieutenant. I have travelled much there, and as a sincere and earnest Protestant I learnt to sympathize with my Roman Catholic fellow-countrymen in the position which I saw them occupy. I never felt that more than I did in seeing crowds of poor Roman Catholics kneeling in the mud outside a miserable hovel of a chapel, when close by was a large and handsome Protestant Church almost unused. Well, how galled we should be if we were in the position of the Catholics, and if we felt that all the honours, dignities, and wealth were heaped upon those who ministered to 500,000 persons, while those who performed similar functions for 4,000,000 or 5,000,000 derived no advantage from the State. We felt, my Lords, that the existence of the Church in Ireland was a gross and a crying injustice. We felt that it was looked upon by the great majority of the Irish people, and not without reason, as a badge of conquest. This is now a hackneyed term, but it truly represents the state of things. It was established by force, and by force it has been maintained. In no other way could the Church of a small minority of Protestants be upheld in a Roman Catholic country. We did not, it is true, burn and torture those who professed another religion, as the Inquisition did; but we cannot hardly fail to look back upon that inhuman penal code to which my noble Friend behind me has so feelingly alluded, without coming to the conclusion that it presents one of the blackest pages in our history, and that, as far as we could, we endeavoured to make our proceedings as bad as those which have reflected so much on the Inquisition. The Inquisition took a more direct and blunt method. Such, my Lords, was our mode of carrying out freedom of conscience—out of it grew the system of Protestant ascendancy—and it is the spirit of Protestant ascendancy which has caused the Church in Ireland to be a political Church, to be kept up for political purposes, and thereby to be rendered one of the great grievances of that country. My noble Friend who has just sat down has very fairly asked why, if the existence of the Irish Church has so long been regarded as a grievance, those who felt that grievance so acutely have not sought to have it remedied before now; why we, when we were in power, never took the opportunity so much as to lift up one finger to propose a remedy? My Lords, the answer is simple. The fact is that, while the evil has been recognized by more than one statesman, there have hitherto been found to be too many difficulties in the way of successfully grappling with this question. At last, as with other questions, the time arrives when the existing state of things can no longer be tolerated, and when justice and common sense over-ride all the obstacles which stand in the way, and defy all consequences. It was the same with the first Reform Bill. All rational men were aware of the evils attendant on the rotten borough system; they knew that under that system the representation of the people was a mockery; yet it was long before any measure to reform it was introduced. No one knew how to set about the remedy till the highest authority in this House was heard one night to say that Manchester and Birmingham had no claim to be represented, and that East Retford and Old Sarum were integral parts of the Constitution. The evident scandal compelled Parliament to take up the question—and the result was the Reform Act and Schedule A. So it has come to be with the Established Church in Ireland. It is impossible that that Church can continue to be maintained in the position which it has heretofore occupied. The question of its disestablishment and disendowment has become the question of the hour. I do not care to ransack the pages of *Hansard* to see what Grattan or anybody else has said on the subject. It is a subject too grave to be degraded by a reference to personal or party considerations.

I do not blame the late Government for the suggestion they made last year. The only blame that can be attached to them is that they did not see that it was impossible—that the country would not adopt it. At the same time it is impossible to govern Ireland as we have governed it heretofore. Foreign nations know our position perfectly well with regard to Ireland; that as long as Ireland continues discontented and unsettled, this country is to a certain extent crippled. All this proves the utter bewilderment of one Government after another what to do to pacify Ireland. It is this crisis—this impossibility of going on as we have done—that has afforded Mr. Gladstone the opportunity—or I should rather say has imposed upon him the duty—of proposing a great and comprehensive measure—to provide for a great evil a sufficient remedy. To talk of this measure, as my noble Friend has done, as dangerous to Protestantism is a great insult to those who profess that religion in Ireland—and who not only profess it, but who own nine-tenths of the property there, and who have before their eyes the manner in which the spiritual wants of 4,000,000 or 5,000,000 of their fellow-countrymen are supplied, without aid from, or connection with, the State; and who have also before them the example, as my noble Friend behind me told your Lordships in an early part of the evening, of the Free Church of Scotland, who within the last twenty-five years have built 900 churches and provided between £300,000 and £400,000 a year for the support of their ministers. My noble Friend opposite says that if this Bill passes the Protestants of Ireland will emigrate, and that those who do not emigrate will become rebels; but I can scarcely believe that their faith is so feeble, or that their energies will be so paralyzed, that they will despair of that religion for which they have so often professed themselves ready to sacrifice their lives, merely because it no longer enjoys the favour of the State.

My Lords, I now come to the question whether your Lordships would be acting wisely, or patriotically, in rejecting a measure which has been sent up to you backed by so large a majority from the House of Commons. I entirely concur in what has been said this evening by my noble Friend (Earl Granville) as to the constitutional power of this House as exercised in the rejection of the Suspensory Bill last Session. Many may regret the course which your Lordships then took; but so great is their respect for this House as a branch of the Legislature, and so anxious are they to see it occupy its legitimate position, and exercising its legitimate power in the transaction of public affairs, that I am sure there was a large amount of acquiescence in what fell from my noble Friend opposite last Session when he said that we should be dealing unjustly to ourselves and unjustly to the nation, if, before we had ascertained what the real feeling of the country was on the subject, we gave our sanction to the measure which was then under our consideration. That was putting the case as it stood last year, in my opinion, very simply and very fairly. The Suspensory Bill was mainly upon this ground rejected by your Lordships, and an appeal was made to the new constituency, who were described by my noble Friend to be a more solvent, more intelligent, and steady class of voters. From the view taken by my noble Friend of the new electors I am by no means disposed to dissent. To them the question at issue was submitted, and what has been their verdict? Their verdict was unmistakeable, and it was that the Irish Church should be disestablished. So unmistakeably indeed was the opinion of the new constituency pronounced, that the late Government bowed at once to its decision, and retired from Office without venturing to meet Parliament. In taking that course I agree with my noble Friend in thinking that they acted patriotically: but it seems to me that an appeal having been made to the country, it would not be right or proper to disregard its decision. As I said before, the nation at large is, I feel satisfied, well disposed to see the House of Lords exercise its legitimate power; but then it will, I think, not consider that power to have been legitimately exercised if we contemptuously throw out a Bill such as that before us, supported as it has been by an immense majority of the House of Commons. To the measure itself I attach the utmost importance—I believe it to be both just and necessary; but I own I care still more for the influence and position of your Lordships' House, and I cannot help feeling that that influence and position will be seriously impaired if you take the course which the noble Lord who has just sat down asks you to take—a course which would, no doubt, please the great Orange party and the "tall talkers" of some Irish constituencies—and which a considerable number of men—no feeble phalanx—who dislike the aristocracy and desire to see the influence of this House weakened in the country, would be glad to see you adopt. My Lords, the Bill which made household suffrage law was far more important, far more pregnant in its consequences, far more distasteful to the majority of your Lordships than this measure, and I only say that I heartily re-echo the words used by the noble Earl at the close of his speech in introducing the Bill, when he said—

> "I only hope that in any course your Lordships think it right to take, your Lordships will not think it expedient or consistent with your duty to oppose the second reading."

The Duke of RUTLAND: I am, my Lords, strongly opposed to the second reading of this Bill; I am opposed to it both on account of its disestablishment of the Irish Church and because of its disendowing it. I am opposed to it because I believe it to be absolutely unnecessary—because I believe it to be right and proper that the State should be in connection with religion and should be based upon it; and because I believe that while on the one hand the State derives considerable advantage from the connection, it is on the other hand of great benefit to the Church to be supported by the State; and because I believe that that connection is the only security for all denominations of religion, and for the principle of civil and religious liberty. I also hold that the Coronation Oath and the Articles of Union alike preclude the possibility of the disestablishment of the Irish Church. With regard to the disendowment of the Irish Church, I am also strongly opposed to it, because I hold it to be wrong to take away from the Irish Church property which has belonged to it for upwards of three centuries. The opinions of certain statesmen have been quoted by my noble Friend who moved the rejection of the Bill, and when the measure was introduced in "another place" the authority of Mr. Pitt was brought forward. It was said that Mr. Pitt was for equality, and that being for equality it must be for the equality professed in this measure. Now, I recollect the letter of Mr. Pitt, which has been published by my noble Friend below me (Earl Stanhope), and which was written by Mr. Pitt, in 1796, to my grandfather who was then Lord Lieutenant of Ireland. In that letter Mr. Pitt said—

> "The Established Church, with legions of Papists on one side and a violent Presbytery on the other, must be supported, however decidedly, as the principle that combinations are to compel measures must be exterminated out of the country and the public mind. At the same time, the country must not be permitted to continue in a state little less than war when a substantial grievance is alleged to be the cause. The majority of the laity, who are at all times ready to oppose tithes, are likewise strong advocates for some settlement. On the whole, it forms a most involved and difficult question. On all hands it is agreed that it ought to be investigated; but then it is problematical whether any effectual remedy can be applied without endangering the Establishment, which must be guarded and kept, and whether any arrangement could be suggested which the Church (who must be consulted) would agree to, adequate to the nature and extent of the evil complained of. In short, it involves a great political settlement, worthy of the decision of your clear and incomparable judgment."

That was Mr, Pitt's idea of the manner in which the Established Church should be considered. I should like to know whether, in the present instance, the Irish Church was consulted on the measure intended to be proposed by Government. Now, my Lords, the concluding portion of the speech of my noble Friend who last addressed the House (the Earl of Clarendon) chiefly related to the repeal of the Corn Laws. My noble Friend said there was a time when Sir Robert Peel's name was execrated for having introduced the measure for the repeal of the Corn Laws. But the Corn Laws have now been repealed for some years, and we are all thankful for that measure. And my noble Friend taunted us with our opposition to that repeal, and to Free Trade. Now, I do not want to go into the general question, but I cannot help reminding your Lordships that it was only the other day that the subject of the increasing pauperism of the country was under your Lordships' consideration. I do not say that increase is owing to Free Trade, but I do say that it is under Free Trade that pauperism has increased, and, therefore, it is not fair that my noble Friend should taunt us with our opposition to Free Trade, and tell us that as no harm came from that measure so no harm would come from this. Now, the noble Earl agrees with Sir Robert Peel's opinion on the Corn Laws. Does he agree with Sir Robert Peel's opinion on the Irish Church, and the danger of such a measure as that which is now proposed? What did Sir Robert Peel say, in 1833, when the Appropriation Clause was under consideration?—

> "If long possession and the prescription of more than three centuries were not powerful enough to protect the property of the Church from spoliation, there would be little safety for any description of private property, and much less safety for that property which was in the hands of lay corporations."

Those words were spoken in 1833, but they are equally true in 1869. Let us beware of what we are about. Let us not think that we can lay hands upon the property of the Church without endangering other property. This property is not the property of the State. The State did not give it, and the State has nothing to do with it. I will go even further, and say that it is not even the property of the Protestants of Ireland. It is the property of God, and what you propose to do is to take away the property of God and apply it to secular purposes. I will venture to make one quotation from an eminent man, for whom I am sure the party opposite always had, and always will have, the greatest respect. I refer to Lord Palmerston, who, on the 1st of March, 1813, in the House of Commons said—

> "But, whatever may be the errors of individuals, I never can bring myself to believe that there would at any time be found in this House a sufficiently powerful and numerous Protestant party, so profligate in principle, and so dead to a sense of everything which would be due to themselves and to their country, as to barter away the religious establishment of any part of the Empire for the gratification of political ambition. But supposing, again, this combination of improbabilities to occur, and such a vote to be extorted from that House, I trust that there would still be in the other House of Parliament, in a Protestant Sovereign, and, above all, in the indignant feeling of a betrayed people, barriers amply sufficient to protect the Protestant Establishments of the Empire from profanation by such sacrilegious hands."—[1 *Hansard*, xxiv. 974.]

If words stronger than these can be found I would gladly make use of them; but I believe that it would be impossible to find words more strongly condemnatory of the policy of the Government. And what argument has been used to-night or elsewhere in favour of this great act of wrong and injustice? We have been told that the Irish Church is the Church of a minority. That is true if you confine your view to Ireland; but if you take a larger view, and regard the Irish Church as a part and parcel of the English Church—as the United Church of England and Ireland—then the minority is converted into a majority; and it is only by regarding Ireland as a separate and alien country that the Irish Church can be called the Church of the minority. Would the fact that the Roman Catholics or the Dissenters had large congregations in particular towns in this country, be a reason for disestablishing the English Church? But I am told that we must disestablish the Irish Church in order to bring about equality. How can there be equality between truth and error? Formerly we used to hear that it was our duty to ascertain the truth and to abide by it at all hazards; and it was by taking that view and acting on that principle we attained our present greatness as a nation, and secured the blessings of the Constitution which we now enjoy. Equality! Is there no other equality than religious equality? Do you suppose we shall satisfy Ireland by giving the Roman Catholics of that country what you term religious equality? With your Lordships' permission I will read an extract from a remarkable article in the *Tablet* newspaper, the leading Roman Catholic journal, which bears on this point—

> "We have always thought that it could be shown that if the Irish Church Establishment were abolished to-morrow—if its churches, lands and rent-charges were applied to secular purposes—or even to Catholic purposes — or if, leaving the Protestant Establishment alone, the Catholic Church were endowed by the State and put on a footing of perfect equality of wealth and privilege with the Protestant Church, we should only have dealt with one feature, with one symptom of the disease, and should not have reached the seat of the disorder. The wound of Ireland is, that whereas the great majority of the population of Ireland are Catholics, such a large proportion of the soil of Ireland belongs to Protestants, and that Protestants form such a large portion of those classes which, by superior wealth and superior advantages, are raised in social station higher than the rest. This, we believe to be the root of the Irish evil, and it lies deeper, far deeper, than the Irish Protestant Church Establishment. We are perfectly convinced, and on evidence, than which demonstration could scarcely be more conclusive, that if the Legislature were to confiscate to-morrow every acre of land, and every shilling of tithe rent-charge now belonging to the Protestant Church Establish-

> ment in Ireland, and were to deprive the Protestant Bishops and clergy of every legal privilege which they now possess by virtue of their belonging to the State Church, they would not have abated the Irish grievance, or cured the Irish disease; they would have only caused a change in the form of words by which the complaints of those who feel aggrieved now find expression."

It is clear, then, that even though you should destroy the Irish Church you will not, in the minds of the Roman Catholics of Ireland, have done justice to them. My Lords, the noble Earl who spoke last (the Earl of Clarendon) said he wished to see this Bill passed, because by abolishing the Established Church we should be getting rid of a badge of conquest in Ireland. That I entirely deny. If such an expression can be applied with any truth at all it is applicable to the Roman Catholics in Ireland, not to the Protestants. If there is such a thing as a badge of conquest in that country the Roman Catholic religion is that badge. For 1,000 years after the commencement of the Christian era Ireland had nothing to do with the Roman Catholic Church. In a sermon preached by the Bishop of Lincoln, I find this extract from Wordsworth's *History of the Irish Church*—

> "Laurentius, another missionary from Rome, succeeded Augustine in England. He wrote a letter which may be found in Bede's *History*, in which he describes the nature of his own reception first, from the ecclesiastics of Britain, and next from those of Ireland. He thus writes—'Before we entered Britain we held the British and Irish in great esteem, supposing that they conformed to the customs of the universal Church' [by which he means the Church of Rome]. 'But when we had become acquainted with those of Britain, we concluded that those of Ireland must be better than they. However, now,' he adds, 'we have learnt, through a Bishop of Ireland, Daganus, who has come over to Britain, that the Irish do not differ in any respect from the British in their usages. For this Irish Bishop, Daganus, refused to eat at the same table with us, or even under the same roof.'"

Ireland was not conquered by this country till 1171. It was then conquered by Henry II. at the instance of Pope Adrian IV. It was conquered at the instance of the Pope of Rome; and for two centuries, I think, after that time it was under the Pope of Rome; but during those two centuries it was not more happy or more content than it was either before or since. If the Established Church is to be destroyed in Ireland, what is to be put up instead of it? The noble Earl who moved the second reading (Earl Granville) stated the leading provisions of the Bill with great fairness and perspicuity. The Bill proposes a nondescript sort of future ecclesiastical government for the Church. It would appear that the laity and the clergy are to meet together and arrange a constitution, and when the Government are sufficiently satisfied that the constitution so arranged represents the clergy and the laity, the Church Body will be enabled to become a corporation and to hold property. It is proposed that the Church Body so constituted shall have the churches now in possession of the Establishment, if they undertake to keep them in repair. The Government will not keep those buildings in repair for the members of the Church, though they propose to take from them £15,500,000 sterling, and to leave to them only those endowments which date since 1660. For the glebe houses and lands ten years' purchase will have to be paid by the Church Body; and then the Irish Church will be left to the voluntary principle. My Lords, the voluntary principle is one which I hold to be extremely objectionable. I think it is very objectionable in any country, but in Ireland it is more so than in any other. In the rural parts of Ireland the Protestants are very much scattered, and in some districts it would be very difficult for the clergyman to get a living on the voluntary system. The noble Earl who last addressed the House enlarged on the success of the Free Church in Scotland. I deny that there is any reality in the analogy which the noble Earl has drawn between the position in this respect of Ireland and Scotland. In a letter to *The Times* Sir James Elphinstone denies that the Free Church of Scotland can be fairly referred to in proof of the success of the voluntary system; and he gives this among other extracts from Dr. Begg's preface to a pamphlet by Dr. M'Naught—

> "The actual state of things, moreover, is gradually threatening us with two of the greatest mischiefs that can befall a people—a famine of the Word in certain districts, and the multiplication of an unhappy class of starving, cowardly, and incompetent ministers, men who are the slaves of their fellow-men, and dare not boldly speak the truth, or act with manly independence. By all means let us have the full experience of the Free Church proclaimed—the truth, the whole truth, and nothing but the truth."

Now, my Lords, we have been asked how it is that the Church of Ireland will not be able to maintain itself on the voluntary principle when the Church of Rome has succeeded so admirably in doing so. No doubt the Roman Catholic Church has succeeded admirably in maintaining itself upon that principle, and that it is erecting enormous buildings out of its ample funds. We have the authority of the noble Earl opposite for believing such to be the case. But the noble Earl, in a subsequent part of his speech, forgetting what he had previously stated, proceeded, in contrasting the condition of the unendowed Roman Catholic Church with that of the endowed Protestant Church, to say that it made his heart bleed to know that the poor Roman Catholics were obliged to kneel in the mud for want of a church to offer up their prayers in. I contend that it is impossible for the Protestant Church to maintain itself in Ireland upon the voluntary principle; but the matter is very different as regards the Roman Catholic Church. Look at the power the Roman Catholic Church exercises over its members—look at the tenets of the Roman Catholic and at his spiritual faith—at his belief in the doctrines of transubstantiation, of confession, and, above all, of purgatory. Why, the priest comes to him and tells him that the souls of some persons to whom he was deeply attached are in purgatory, and are suffering torments from which he can relieve them for a money payment to the Church. Of course the poor man does not hesitate a moment, but pays the money on the faith that he is thereby relieving his relatives from horrible torment. But there is no such power belonging to the Protestant Church—and I thank God that it is so!—and therefore the cases of the two Churches are not to be compared. Even supposing that it has been satisfactorily shown that the Roman Catholic Church has been able to maintain itself under the voluntary system, that is no reason why the Protestant Church should be able to do the same. I believe that by taking away the endowments of the Protestant Church in Ireland, and forcing her to depend upon the voluntary principle, you will destroy her and deprive her members of all religious ministrations, more especially those who reside in the rural districts. I maintain that this is a new question, whatever the noble Earl opposite may say to the contrary. It is all very well for him to say that this is no new question, because Mr. Maguire and others have agitated it on previous occasions; but I maintain that it is a new question for the Government of this country to take up, and that, therefore, it is a new question for the people of England, upon which we have a right and it is our duty to give them time for re-consideration. The noble Earl alluded to what I said on this point last year. I then asked that the question should be submitted to the people of England before we arrived at any definite decision upon the subject. It is perfectly true that I did so then, and it is perfectly true that I do so now. I say —"Let the people of this country decide the question." But, my Lords, last year we had not this Bill before us. Neither your Lordships nor the people of England had seen this Bill at the time the elections took place. The Bill is totally different from what we were led to expect it would be. We were distinctly told by Mr. Gladstone that the funds of which the Irish Church was to be deprived should, on no pretence whatever, be applied to the support of any religious body. This was the gist of the hustings' speeches, and it is recited in the Preamble to the Bill. But in the enacting part one of the clauses distinctly endows the Roman Catholic Church. In place of the annual donation given by Parliament to the College of Maynooth, the Bill proposes to hand over to that institution, under the guise of fourteen years' purchase of its annual grant of £30,000, a permanent endowment of between £400,000 and £500,000. Under these circumstances I believe I am justified in stating that the principle of this Bill has never been submitted to the people of England, to the people of Ireland, or to the people of Scotland, for them to express their opinion as to whether it is a wise, a statesmanlike, and a patriotic measure. My Lords, it is for time only that I appeal. Your Lordships have a perfect right to pronounce judgment upon this Bill. I think you have a right to say—not that you will place yourselves in opposition to the will of the people of England, to the deliberate and reiterated opinion of the people of England—but that you will give them time to consider well a question of such constitutional importance—a question which, in our belief, violates the Queen's Coronation Oath, a question which, in our opinion, violates the Act of Union, and which will extend, not only to Ireland, but eventually also to England. But your Lordships have a peculiar right to be heard in this matter, because the Bill actually proposes to deprive this House of four of its Members in the persons of the four Irish Bishops, whom it proposes to take from those Benches, and whose faces we shall see no more. Supposing we were to introduce a Bill into this House for the purpose of depriving the House of Commons of its Quaker Members, and then when the House of Commons came to consider the Bill, we were to say—"No, we the House of Lords in our supremacy have thought it right to pass this Bill, and, believing that we are supported by the opinion of the country, we will not allow you to say a word upon the question whether your Members are to be turned out of your House or not." My Lords, I feel deeply the grave importance of this question. I feel that the effect of this measure, if it is passed, cannot be confined to Ireland, but that it will also extend to England. I ask the noble Earl (Earl Granville) whether such is not the opinion of many of the supporters of the Government in the other House, and whether, in truth, the main object of a great body of their supporters is not to attain the destruction of the Irish branch of the United Churches of England and Ireland only, but the destruction of all Establishments, and among them that of the Church of England? My Lords, it is for these reasons that I shall feel it to be my duty to give my vote against the second reading of the Bill. Nothing shall induce me to vote for the Bill, which, I believe, will strike out one of the Articles of the Union, and will result in the destruction of the Church of England.

VISCOUNT STRATFORD DE REDCLIFFE: My Lords, with every due consideration for the remarks of the noble Duke who has just sat down (the Duke of Rutland) I cannot help regretting that in the discussion of this great question we should be invited to go back into the ancient history of Ireland—to that remote period when all descriptions of evil abounded there, unchecked and unlimited. We do indeed find that in later times and under the pressure of urgent circumstances, the English Government made repeated efforts to diminish those evils and to introduce a higher state of civilization into the Irish provinces. And yet the policy adopted for this purpose was so changeable, so ill-directed, and sometimes so violent in its prosecution that little or no good can be derived from recurring to its cotemporary ages. I do no mean to deny that there is a certain relation between those early periods and the present; but on the whole I submit that it is safer to lose sight of their details at least, and to try how we can most effectually produce a diminution, if not the entire removal, of those plagues which have so long prevailed in Ireland, and bring thereby all parts of this our Empire into harmony the one with the other. This, no doubt, is a noble and patriotic project—one which, even in prospect, fills the mind with the highest delight. But the difficulties commence as soon as we begin to consider the means of carrying it into effect, and I confess that they seem to me all but insurmountable. I do not well comprehend how the Bill proposed by Her Majesty's Government can be applied as a remedy for the existing evils without provoking a sense of injustice equal to that which we are anxious to remove. My Lords, the bearings of the question are so extensive and so complicated that I should almost shrink from addressing your Lordships upon the subject were it not that I wish to explain my reasons for voting in the manner I intend, having failed to obtain an opportunity of doing so when the Suspensory Bill was before your Lordships' last year, and having, in consequence, left the House without giving my vote. It is by no means necessary for this purpose that I should go at all deeply into the arguments which have been employed on either side with respect to the Bill. I need offer no excuse for confining myself to such considerations as may justify personally the course which I think it my duty to take. There are, in my opinion, two questions before the House, neither of which can be thrown out of view without the danger of our coming to a false conclusion—one is the question of the Church itself, the other lies in the position of this House with respect to the other House of Parliament. It is hardly possible to deny that difficulties of no common magnitude arise from both, and in order to take a statesmanlike view of the whole matter your Lordships must be careful to give due weight to the one as well as to the other. First, as to the Irish Church, it is painful to find that among the consequences of the Bill, when passed, there will be a part of the United Kingdom in which the relations between Church and State will entirely cease, and where a large body of people professing the Protestant faith will be left to provide their own religious nourishment with very precarious means. Further, as regards the consequences to the Church itself, we cannot overlook the manner in which that sacred Establishment of long standing is about to be deprived of its property. I have always been of opinion that where property is left for a specific purpose, it should never be applied to any other purpose by those who are constituted its trustees, without a clear and urgent necessity, I might almost say, without an extinction, at least virtual, of the original object. Now, when we are summoned to sanction so large an alienation of Church property as that contemplated by the Bill, and expect to find that the new destination given to that property shall be, as nearly as possible, akin to the uses originally designed, we hear, to our surprise and sorrow that no such arrangement is thought of, but, on the contrary, that the new application is, in many points, as far as possible from that which has hitherto existed. I affirm that these inadvertencies damp our hopes, and tend, in no degree, to promote the object professed by those who framed this Bill—namely, that of healing the wounds of Ireland, and bringing the two united islands into closer bonds of sympathy and concord with each other. Let me ask how it is possible to suppose that the clergy of the country, that the proprietors of the country, that the people at large in those provinces, at least, where the Protestant religion prevails, can sit down contented under such a change as this Bill suspends over their heads? Would they not have the right to turn round upon us and to say—"Your ancestors established the Church in Ireland for our religious wants and social advantage it is true, but also at a time when your necessities required that the settlers should be the instruments of upholding and extending your authority. It was you who then for your own interests laid the foundation of the present system, and you are not now at liberty to cancel your own acts at our expense, and because those interests have assumed another aspect." But we are told that the result of this measure will be the conciliation of Ireland. Relying on expressions which have fallen from Members in the other House of Parliament, I conclude that if conciliation is the object in view it is meant to be obtained not by a single measure, but by a policy composed of several measures. Such being the case, Parliament was surely entitled to have the whole scheme of measures laid before it at once. To the ignorance in which we have been kept on the very important question of land tenure may be traced those mischiefs which are not only apprehended, but which in part have actually arisen; and as to the third most essential point—namely, that of education, we may justly complain of having been kept completely in the dark. We are at present required to deal with only one of the series. We are called upon to make a vast sacrifice, to be followed by other changes yet unknown, in order to conciliate the people of Ireland. But the question thus forced upon us is only a fragment of the scheme; and we have to wait for the remainder until it shall please the Servants of the Crown to enlighten us at some future, indefinite period. Under these circumstances I look in vain for reasons sufficient to warrant a hope that the Bill now before us will ever realize the expectations of those who have framed it. We can hardly imagine to what extent the pending measure is calculated to outrage the feelings and to provoke the resentment of that influential party which has hitherto been the most ardently attached to British connection; nor can we reckon, with any degree of confidence, on the prospect which is held out to us of finding a compensation for this evil in the gratitude and contentment of the Roman Catholic majority. There is but too much reason to fear that the proposed measure, far from being one of peace and conciliation, will prove, on the contrary, a source of increased antagonism and bitter disappointment. Believe me, my Lords, I have looked most carefully into this question, and I can assure your Lordships that it was with much real reluctance I arrived at the opinions which I am now compelled to entertain. Such is the beneficence, such the grandeur of the object to which the Bill is directed, that my natural wish is to promote its success, and I have taxed my humble faculties to the utmost in order to satisfy myself that I should be justified in yielding to that wish. But I must confess that my endeavours have failed, and I cannot evade the painful conviction that in passing the Bill, if such be our doom, we shall drop the substance and re-place it by a shadow. I fear that the seed, which my noble Friends behind me have sown, will produce but a sorry harvest; I willingly give them credit for the best intentions. But we are not dealing with intentions alone—we have to legislate, and to legislate for the benefit of the country at large. Now, this question of the Irish Church does not concern Ireland only. It is not a mere local question. In one sense or another it concerns the whole Empire, and its character is emphatically Imperial. It forms part of a political system, to the effects of which no part of the United Kingdom can be indifferent. One of the cries in its favour is "Justice to Ireland." But Justice is represented as holding an even balance, and her chief title to our respect is the strict impartiality with which she is supposed to treat conflicting parties. But what sort of justice is that which strips one party to the skin, and while it leaves the other as naked as before, consigns the alienated property to any wind that happens to blow? Another motive alleged for the Bill is this—It is said that the endowments of the Irish Church are a scandal, and especially that England, by maintaining it, discredits herself in the eyes of foreign nations. Granting that there is some appearance of truth in the reproach, was it necessary to sweep away the whole Establishment? Could not the Church and its adherents have been brought into better proportions with a less unsparing hand? Was it wise, was it just, to pull down the entire fabric because some of the stones were loose, and some of little use? As to what foreigners may say of our institutions, I would not entirely disregard their impressions; but, judging from my personal experience, I conceive that their value might be easily over-rated. This country is too prosperous and too independent not to excite some feelings of jealousy abroad, and, of course, our Protestant basis of faith and government can never be acceptable to nations where Papacy prevails. The present subject of debate in particular must be attended in their minds with little sympathy and much prejudice against those amongst us who would break the fall of the condemned Church, and enable it to perform its duties when separated from the State and deprived of its wealth. It is worthy of remark that the imminent loss of those advantages has not called forth any facts, nor even any censures tending to discredit the character of its clergy. Prelate and curate have alike received from the most competent observers a just tribute of approval, a frank acknowledgment of their merits, and of the considerate conduct by which they have generally won the regard and even, in many instances, the confidence of their Roman Catholic neighbours. Nothing but high personal character, joined with the most charitable discretion, could have accomplished such a miracle. Religious differences and national prejudices gave way to sentiments inspired by esteem and judicious kindness. But greatly as these affecting circumstances plead for the Irish Church, it appears to me at the same time that there are reasons of quite another kind which may well make us hesitate before we adopt the extreme course suggested to us by the noble Earl who moved the Amendment. We have to consider the hazards attendant upon a serious and determined difference of opinion between the two Houses of Parliament. We have to weigh the consequences of throwing out a Bill which is backed by a very large majority of the Commons, who are understood to express the deliberate conviction of their respective constituencies. We cannot but take into our account the chances of having to accept hereafter even a worse measure than the one now pressed upon our acceptance. Be it remembered, too, that the character and honour of your Lordships' House are involved in these considerations. Nor is it a light matter to compromise the honour of your Lordships' House; whatever has that effect inflicts a wound upon the State, and puts to hazard the welfare of the nation itself. If the disestablishment of the Irish Church could again be referred to the suffrages of the country, if the public, in its largest sense, could be brought to view it, unconnected with that other co-ordinate question, who are to be the Ministers? I think a fresh appeal to the constituencies might be a wise as well as a just expedient. But the resort to so fair a test of the national opinion is not in your Lordships' hands. Nor can the result of the late General Election, nor the delicacy of our position with respect to the Commons be left out of the account, if a comprehensive view of the situation is to direct our counsels. Though the hope be somewhat against wind and tide, I venture, nevertheless, to hope that by going into Committee we shall obtain Amendments to the Bill, which may at least remove some of the objections to which it is manifestly open, and the vote which I mean to give in this stage of its discussion will take colour from the hope of that improvement. I beg, however, to reserve the right of voting in a different manner on the third reading, if the Amendments adopted in Committee shall prove insufficient.

Lord ROMILLY: My Lords, I listened with attention to the speech of the Mover of the Amendment, but I do not think the arguments the noble Earl adduced were such as would in any degree justify your Lordships in rejecting the Bill before us. The noble Earl urged with great vehemence that this was a perfectly new measure, and that it had not been heard of or spoken of at any time previous to the last twelve months. But is not that an observation which may be equally made when any great measure is introduced? When any great measure is first proposed for reforming the State, it is then, of course, perfectly new. It may indeed have been hinted at before, but when first formally proposed it takes everybody by surprise. That was the history of the first Reform Bill of 1832. In fact, it was then urged that a reform in the representation would produce a revolution; and it was the fear of a revolution which deterred many persons from bringing forward that measure, which was ultimately produced by an alteration in the state of feeling in society, and a revolution would have been caused if that measure had not been carried. The noble Earl says that several great statesmen have stated that if they reformed the Irish Church it would produce a revolution. Possibly that might have been so some years ago; but the altered state of society and the increased knowledge of the people enable Ministers to carry measures which at one time they would have found it impossible to pass without producing public disturbance. Now, what is the object of this Bill? It is, I apprehend, to lay down the first axiom of good government, which is equality; not equality in the sense referred to by the noble Duke (the Duke of Rutland), who seemed to think that in order to establish equality you must make all persons equal in property and everything else, but equality in rights and privileges; that every man should have the same rights and privileges as others have in respect to public estimation. And this is the object of the Irish Church Bill; the object of disestablishing and disendowing the Irish Church is to put all religions in Ireland on an equal footing. The noble Duke said it would be impossible there should be religious equality, because there cannot be equality between truth and falsehood. But what a statement is it for a statesman to make, that any religion is perfect truth and another is not, and therefore the one ought to be supported by the State and the other discouraged! The principle of all statesmen in modern days is that you should treat all persons alike in respect of their religious opinions, and that the State itself is not to lay down that this is true and that is false, and treat them accordingly. The contrary doctrine has been the cause and the excuse of all religious persecution at all times. It was stated by the noble Earl—and I think it is a remarkable advantage of this measure—that, with regard to its novelty, it has been brought forward without any great pressure. As far as I know, no great measure has hitherto been introduced for Ireland or carried without some very great pressure from that country. The emancipation of the Catholics was produced by force in that country. But this is a measure on which, as far as I know, England and the Government of this country have, for the first time, spontaneously come forward to confer upon Ireland perfect equality as far as rights and privileges are concerned in one very important particular. Several noble Lords seem to think this Bill will destroy religion altogether; but I apprehend that is a total misapprehension of what is likely to occur. Consider what is disestablishment. It is nothing more than this—that the Crown will not appoint the Bishops; that persons will not be endowed out of what originally was State property; and that no Ecclesiastical Courts will exist for the purpose of settling differences and disputes in the Church. But why is that to destroy religion? Why is not a man to hold exactly the same doctrine after that is done as he held before? Why will not the same number of members of the Church of England meet together and entertain their doctrines and discipline exactly the same as they had before? You have the instance of Scotland, where the state of the case is precisely what I have said. The Bishops are not appointed by the Crown, but elected by the members of the Church itself; and if any ecclesiastical disputes arise they are settled by the ordinary tribunals of the country instead of by special Ecclesiastical Courts. You will have in Ireland exactly the same state of things as you have now, with this exception—that the Church will not be maintained by the State, and that her Bishops and ministers will not be appointed by the Crown. What does experience teach in relation to this matter? The greatest experience of all is that supplied by the early ages of Christianity. Christianity made its way, in spite of every species of opposition, by the force and fervour of its disciples. In the case of Scotland, in the case of the colonies, you will find the greatest religious zeal and eagerness; and I am satisfied that if you put an end to the Establishment in Ireland the simple effect will be to create a great amount of earnestness and zeal, and an increase in the number of persons at present professing its doctrines and opinions in that country. At the same time, by placing the rival Churches on an equality, you will put an end to the jealousy with which the Establishment is regarded, because it will be no longer looked upon as put there by the State to make proselytes. The Roman Catholics in Ireland, I have always understood, regard the members of the Established Church with much greater jealousy than they regard the Presbyterians. Whether that be so or not, in all other cases the members of different religious communities look upon each other as perfectly equal. The noble Earl (the Earl of Harrowby) says he has seen a boy beaten and bleeding in Ireland merely on account of an attempt at proselytism. That is one of the symptoms of the evil of the Established Church in that country, and if you put an end to it those things will cease, as they have ceased in other parts of the kingdom. Why should you not have the Church in the same position in Ireland as in Scotland? I believe there has been of late years a great increase of zeal among the members of the Episcopal Church in Scotland. You have next to consider the question of the disendowment of the Irish Church, and for this purpose I treat it as a corporation. On this subject, I would remind your Lordships that if a corporation does not answer the purpose for which it was established, or fulfil the duties for which it was instituted, the State according to all principles of good government has full power to deal with it. It is a recognized maxim in all political matters that if a corporation ceases to do that for which it was originally created, or does something which is injurious, it is not only the right but the duty of the State to put an end to the corporation. But in using these words I distinguish between the corporation in its character of a corporation and the members of the corporation, who unquestionably are not to be injured in their property. A Motion was made by a noble Lord (Redesdale), not now in his place, for a return of the number of cases in which the Legislature of this country has interfered with institutions, and put an end to them forcibly. I felt some regret that his Motion was not carried; he seemed to think that the return would be nil; but in truth it would have been difficult to obtain such a return owing to the great number of the cases. There were not only the cases of the monasteries and the chantries, but also those of the private Acts of Parliament, putting an end to corporations which were found to be no longer of use. A corporation which does not perform its duty to the State ought to be put an end to. The reason is that corporations are creations by the State for the purpose of the benefit of the State, and not for any private or particular benefit. The Church is a corporation of that description. I confess I heard with great regret the exclamations of the noble Earl and the noble Duke respecting the violation of property, which they urged would be occasioned by this Bill. I think the noble Lords do not consider what a dangerous blow they are giving to the institution of property by their arguments on this subject. No doubt there exists in Europe, and has existed, ever since the French Revolution of 1848 a number of persons who consider the institution of property to be a dangerous thing and a great obstruction to civilization. I believe this class of persons is small, and that their object, if attained, would inflict a great calamity on mankind; but there are amongst them persons of knowledge and ability, and they have published many works on the subject. Now, the moment you attach the quality of property to nothing but a name—call it church or corporation, or anything you please—apart from individuals who are to enjoy it, and treat this species of property in the same rank with private property, you give these persons the strongest possible argument against you. While you are trying to raise corporate property to the same level with that belonging to private individuals, they are trying to lower the property of private individuals down to that of corporations. And thus you strike a blow at that which you are so anxious to uphold. One word now as to the singular argument used by the noble Earl opposite (the Earl of Harrowby) as to the obligation imposed on the Sovereign by the Coronation Oath. In the first place, the paramount obligation on the Sovereign is to effect the good of the people, and for this purpose she is to perform those things which the three Estates of the realm—the clergy, nobility, and commonalty—recommend to her for that purpose. That is the paramount obligation of the Sovereign. The duties of the Queen are not in the slightest degree altered after the Coronation Oath. In former times it often occurred that years passed after the accession before the coronation of the Sovereign, but that made no difference. It is not necessary that any coronation should take place in order to give the Sovereign any right, power, or privilege whatever, or the means of enforcing them. The essential principle of every oath is this—that it is understood in the sense of the person imposing it—that is in whose favour, and for whom it is made; and if that person disengages or releases you from the oath it no longer exists. What is the Coronation Oath? It is an Oath taken in favour of the people of England. Well, the people of England release the Sovereign from the Oath. How do they release the Sovereign? In the ordinary and regular manner in which only she could be released—namely, by the voice of the three Estates of the realm, who send up a measure to the Sovereign, saying—"We ask you to assent to this, and if the Coronation Oath imposes any difficulty we release you from that obligation." There was one other remark made by the noble Earl and the noble Duke which struck me with some suspicion—they earnestly insisted on having more time. Give us, they said, a little more time to consider this matter. The noble Earl who moved the second reading of this Bill (Earl Granville) has pointed out that the same observation was made last year when the Suspensory Bill was introduced; and it was then considered reasonable that the sense of the country should be taken on that particular point. Well, reasonable time was given, and the sense of the people taken upon it, and there certainly never was in my recollection any instance of an election more accurately and precisely adapted to one particular question; and a House of Commons was returned which sent up this Bill by a majority exceeding 100. What more time do you want? You are not going to dissolve again? The present Parliament may continue to exist for five or six years, and how often would you have this Bill sent back to you? Do you suppose such a course would be beneficial to the character and credit of your Lordships' House? It appears to me, my Lords, it would be the greatest possible mistake. I venture to say the severest blow your Lordships' House ever received was on your rejection of the Reform Bill in 1831. You have never recovered it. The injury still remains. The people remember it; they treasure it up. The Bill was re-produced and carried by force through a reluctant and retiring House of Lords. I believe the existence of your Lordships' House to be a great benefit to the Constitution, and I should much wish that the credit and honour of your Lordships' House should be sustained; but that will not be so if your Lordships should think fit to reject such a measure as this, instead of putting yourselves, as it were, at the head of it, correcting and improving it to the utmost of your power. The noble Earl who introduced the measure has well said there is one thing you cannot do—you cannot thwart the people of this country. You may correct and improve the Bill, but you cannot thwart the people. I therefore earnestly entreat your Lordships to consider well what course you will take, and that course I sincerely hope will be to pass the second reading, and introduce what Amendments you think proper in the subsequent stages of the Bill.

THE ARCHBISHOP OF CANTERBURY: My Lords, the two noble Earls who first addressed the House to night, very naturally appealed to the right rev. Bench—one warning us that unless we gave our assistance in passing this measure we should greatly injure the Church of England through the Church of Ireland; the other telling us that unless we helped to throw out this measure on the second reading our conduct would have the same result. My Lords, we have received advice on most of these occasions, and I trust we are always ready to profit by it: but after all, the best advice we can give ourselves is, to do that on each occasion which we think upon the whole will be the wisest and the best according to our own consciences. There never has been any occasion on which I have risen to address your Lordships when I have felt this more seriously than at present; for indeed, I allow all that has been said by the noble Earl, who moved the rejection of the second reading, that this is a great crisis, and that on the wisdom which is shown by the Members of the right rev. Bench in their capacity, and by this House in general in its aggregate capacity, depend issues which may affect not only the Church of Ireland and the Church of England, but the destinies of this Empire among the nations of the world. Now, my Lords, putting the matter to my own conscience and endeavouring to decide what is best to be done in this particular emergency, I cannot agree either with those who urge us to accept the measure that is now before us without alteration, or with those who advise us at once to cast aside the measure without consideration. I was glad, my Lords, to hear the sentences at the close of the speech of the noble Earl who introduced the Bill, in which he seemed to hold out to us the hope that Amendments made by your Lordships would be seriously and carefully considered by the Government and the House of Commons. I was glad to hear this, but, indeed, I could expect nothing else; for how could any Government, in the plenitude of its power, refuse to listen to Amendments proposed by such a House as this, if, when seriously considering the whole of this question in all the width of its aspect, they determined it to be right that Amendments should be made? It is one thing to speak in the House of Commons with a majority of 120 at your back, and another to speak in this House with what I believe is a small minority; and, therefore, I cannot but believe that the noble Earl has only expressed the sentiments which must animate all his Colleagues who are Members of this House when he said that any Amendments which are proposed will be most seriously and courteously considered by the Government. My Lords, I cannot quite go with the noble and learned Lord who spoke last (Lord Romilly) in the view he took in the earlier part of his speech with reference to the security of property. He is entitled to consider himself a far better judge on such matters than I am; but at the same time I could not help thinking there was a little paradox in the statement that to confiscate some millions of property was a good way of giving security to property. On that point, however, I am no match for the noble and learned Lord. But with regard to the advantage to religion of confiscating the property dedicated to the service of religion from ancient times, and breaking up and utterly abolishing the old institutions which for centuries have been devoted to the propagation of religion, I think myself entitled to retain my opinion in spite of the noble and learned Lord, that religion will be more likely to flourish under such endowments than without them. I grant there is a sort of religion which does flourish in the absence of endowments. There is a sort of spurious religion which lives on the passions of the people. The curse of Ireland is the repeated political and religious agitation, on which voluntaryism necessarily rests. That is the great bane of Ireland, which I hope your Lordships will not encourage; and, so far as this measure, if carried without serious Amendments, would encourage agitation, so far, I consider it a measure fraught with the worst possible consequences. I should be sorry to see Ireland handed over to the tender mercies of a set, either of priests or of ministers of religion who, from the necessities of their position, and in order to keep themselves alive, would be obliged to rely, the one upon superstition, the other upon Protestant fanaticism; yet, if there be nothing in the nature of an endowed Church existing in Ireland, I do not see how we can escape from that great national calamity. Of course, from the position which I occupy I had not the benefit of being present at the meeting where it was decided that the only thing to be done with this measure was to cast it forth from the House at once; but every Member of this House whom I meet in the street seems to have a lingering hope that the measure will pass, somehow or other, the second reading, and that you will then take it into your own hands and so model it as to make it express the real sentiments of this House. If I were asked what I wish had been done on this question, I might say that we may look back with regret to three years ago, when, if we had been wiser, we should have listened with more acceptance to the advice of the noble Earl on the cross-Benches (Earl Grey) who then invited our attention to this subject before political agitation in connection with it had begun. My regret is that the Prime Minister should have been at that time so much occupied with the coming Reform Bill that he discouraged any consideration of this important question. I regret also that the Commission on the Irish Church had not presented its Report before the exigencies of political party changed the aspect of affairs. I regret that the opportunity of quietly and calmly considering the subject passed away. But the important question now is —what is now to be done? With the exception of the speech of the noble Viscount who spoke last but one (Viscount Stratford de Redcliffe), I cannot help thinking that this, the real question has not been very much touched upon in the course of the present debate. If anyone had come accidentally into this House, he would have thought that nothing whatever had happened since this time last year; but a great deal has happened, and in approaching the question we should consider what has happened and what it is possible for us now to do. I am certain your Lordships will not listen for one moment to the taunt that if your Lordships pass the second reading of this measure you will show yourselves to be an altogether powerless portion of the Legislature. Those who utter such taunts desire to make you powerless. Taunts like these come from the enemies of this House; and they are the friends of this House, in my estimation, who tell us to consider what the country has determined, and to make the measure—bad as I believe it to be—not so bad as it is now. We have had letters anonymous and signed, calling on us not to betray the Irish Church and not to facilitate the passing of this measure. I will say for myself and my right rev. Brethren that we are sincerely attached to the Irish Church. We know the excellence of the ministers of our Church in Ireland. We know the difficulties they have had to contend with; and we know that the blow which now injures them is very likely to injure us. Moreover, we know that we have the same cause at heart; and though this Bill talks of dissolving the union between the Church in England and the Church in Ireland, we feel that it is an union which is beyond the power of an Act of Parliament to dissolve. The union of the Churches is the union of our common faith and our common liberty—an union which subsisted before the Act uniting Ireland with England existed, and which will survive the present Bill should it be passed. We do not, however, desire —I at least do not desire—that this measure should pass as it now stands. I am anxious that your Lordships, giving the measure a fair and calm consideration, should set to work to alter it into a good measure, if possible. Since the Bill passed the House of Commons by a majority of 120, it seems to have been regarded both by friends and foes as a Bill admirably constructed for its purpose. Now this I deny. We have noble Lords among us who may be trusted with the examination of the details of the measure should it come before us; but I wish to point out one matter which seems to have escaped attention. From the middle of the Bill to the end it proceeds on the hypothesis that the Protestants of Ireland will voluntarily associate themselves into a governing body, such as

Her Majesty in Council may approve, and thereby assist at their own execution. I do not say that the Bill might not work in some way even if the Protestants do not form that body; but what I maintain is this, that without this body voluntarily formed, it would work in a way totally different from that which it is intended. Now I do not see that it holds out any adequate inducements to the Protestants in Ireland to act in the manner contemplated. What are the inducements held out? Mr. Bence Jones says that the Bill professes to give to the Protestants of Ireland three boons—first, the power of forming a corporation, and thereby receiving property. But that would be a very small advantage, for they may hold property through trustees, as the Roman Catholics do, without becoming a corporation. The second advantage you confer upon them is the right of buying their own houses at ten years' purchase of the land on which they stand—so that the somewhat fictitious value which a clergyman has by his own industry given to his garden is reckoned at ten years' purchase, and he is told the Church may have his house, if he pays that value or takes on himself all existing liabilities. The third advantage is the preservation of private endowments since 1660, which are variously estimated, but in a calculation which has been laid before us, and which is not materially different from that made by Dr. Ball, they are stated to amount altogether to £8,000 a year. With regard to life interests, it has been said over and over again that they cannot be disregarded without a revolution. So that, in fact, when the life interests expire all that the Church will get will be the £8,000 a year. Now if the clergy threw themselves on the compassion of the people they could obtain a much larger sum. These, so far as I know, are all the advantages you give to induce the Protestants of Ireland to form themselves into this voluntary body; and if they fail to do so, you may no doubt carry out the Bill in its own way, but you will carry it out with so much harshness and so much confiscation that you must entirely fail in your object, and, by taking no pains to conciliate the Protestants of Ireland, you will have to begin *de novo*. I wish now to allude to two fallacies which have run through great part of the debates on this subject elsewhere. One of these is founded upon the analogy of what my noble Friend (Earl Granville) told us we should be afraid to allude to—the Episcopal Church of Scotland. Well, I attended only the other day a meeting connected with this body, and I confess that a more beggarly account of empty benches I never met with. Yet that Church numbers among its members some of the wealthiest landed proprietors of Scotland. However, it was rather as to the Church of another religious body in Scotland that the noble Earl told us we ought to take care what we said. The noble Duke (the Duke of Argyll) ventured, notwithstanding that warning, to plunge into that land of mist, and the mist was partially dispelled—because I grant there is a great mist about this subject of the Free Church of Scotland. We have heard most brilliant accounts of the magnificent spectacle which that body has presented to the universe. I grant that it was a very grand spectacle when many years ago a number of men—most of them are now in their graves—went forth from their homes because their consciences told them to do so. Though I think their consciences were very much misinformed, still nobody can deny that it was a splendid spectacle, and one which at the time commanded the admiration of all. But we are told now that the movement is so triumphant that it covers every part of Scotland with churches, with manses, and with ministers, wherever they are wanted. But I hold in my hand the pamphlet to which the noble Duke alluded. It has a preface by one of the original seceders (Dr. Begg), who went forth from the Church at the same time that Dr. Chalmers and the other leaders of the movement went forth—and his account is that the thing has been an absolute failure; that whereas for a time it went on triumphantly, yet now the ministers in remote places are utterly destitute. Now, I do not say that this is a true account; but it bears the name of one of the leaders of this body, one of the original seceders with Dr. Chalmers. And he maintains this also — that they are gradually receding from the principles on which they went forth. We all know that the prophet and apostle of the system of Establishments was the great man who was the leader of that secession from Establishments (Dr. Chalmers), and that he thought that by some mode which was invented at that time of secession, the nearest possible approach to a large and ample endowment was to be secured for the Free Church. But the statement now made by his colleague is that the whole thing is rapidly hastening away from his principle into the voluntary principle, against which Dr. Chalmers always protested, which produces in Scotland and elsewhere its usual fruits—pandering to the ignorance of the people, producing unnatural excitement on religious questions, and, after all, leaving remote districts altogether unprovided for. Now, I venture to say that, if the account given by this gentleman is true, it shows that a good deal of mist exists upon this question, and that it is difficult to ascertain the real state of the case. I will now say a few words to your Lordships on another matter. I was present the first evening of this Session, and I heard the noble Viscount the late Governor General of Canada (Lord Monck) speak in the most triumphant strains of the success of the Canadian Church. But I happen to know that at that time this Church was in the anxious throes of birth for nearly four months from the impossibility of finding any mode by which it was to elect a successor to my late venerable and lamented Friend the Bishop of Montreal; that proposal after proposal was made and rejected, and that the whole came to a dead-lock, as to carrying on the discipline of that Church, so complete that it seemed to threaten the utter dissolution of the ecclesiastical system. I know also—for I have seen the papers — that there was a general impression on the part of most Churchmen in Canada that the plan had worked there badly; indeed, that there never would occur a vacancy on the Episcopal Bench which would not give rise to a certain amount of canvassing—which is bad in Canada, would be bad in England, and would be worse in Ireland. I read, also, certain papers respecting an episcopal election there in which it was stated that the Orangemen of Canada held a meeting—a caucus—and determined that unless the Orange candidate for the episcopate were chosen they would—not exactly stop the supplies—but take some other step which would make all government impossible. With these facts in my knowledge I was astonished at the triumphant tone in which the noble Viscount spoke about the Canadian Church. More than once, however, I myself have written to Canada in order, if possible, to gain some further information on this subject. I am aware that the difficulties with regard to the election of Metropolitan have happily been tided over, and that an admirable clergyman holding office in my own diocese has at last, after great difficulty, been elected to the office of Metropolitan; but I know that discord and ill-will prevailed for many months before his election. I come now to another point—namely, the sustentation of the clergy of Canada. It always appeared to me a mystery—which I attributed very much to my own want of understanding about questions of interest and capital—how it was that when the Church in Canada was deprived of its revenues—the life interests being capitalized—there was found a sufficient sum at once to pay all these persons their life interests, and at the same time to leave a large margin for the future sustentation of the clergy. Now, in Ireland, it seems to me that a great deal of dust has been thrown into our eyes, and very exaggerated statements have been made as to how those life interests are to produce a large sum for future use in the hands of the Church Commissioners. I wrote, therefore, to a person in Canada whom I knew to be well-informed—a gentleman holding high office in the Church there—and I put this question to him—Whence comes the surplus after satisfying these life interests? The answer soon came. Your question, said my informant, is very easily answered, for the surplus comes "principally from the imagination." There is no doubt a way in which it may be obtained—namely, by lending the money at very high interest, which everybody knows is very bad security. The consequence, in some instances, I understand, has been bankruptcy; in other instances the trustees have managed to tide over the difficulty; but in most of these cases, I understand, they have merely paid the life interests, and then capitalized as each holder of these life interests died, and have not yet, though so many years have passed, appropriated any sums for the benefit of the clergy generally. How, then, has the

Church in Canada been kept afloat? It has been aided in two ways—one by grants from the Society for the Propagation of the Gospel at Home—and we may come to something of the same kind in Ireland—and the other by a still simpler plan, for a very large portion of the lands of the Canadian Church were never confiscated, but are regarded as sacred, because they had been appropriated to particular livings. As was so ably put by Sir Roundell Palmer in the House of Commons, the example of Canada may be followed in Ireland; but if it is followed, it must certainly be followed in this—namely, in preserving to the Irish Church all those funds appropriated by private munificence to its several parishes or Bishops' sees in past times, that they may hereafter contribute to its support. I trust that, as the noble Viscount (Lord Monck) will preside—if the Bill passes—over the Church Commissioners, he will bring to bear upon the Irish Church his Canadian experience, so as to enable it to avoid the difficulties to which the Canadian Church has been subjected; at the same time, giving it the same justice as was given to the Canadian Church.

My Lords, I must apologize to your Lordships for having trespassed so long upon your attention. I confess I feel that, with some Amendments, we may make this a good Bill, though I grant it will be very difficult. There is nothing in the principle of the Bill which makes it impossible to throw back to a far earlier date the time from which private endowments may be calculated. I am much mistaken—if you have an opportunity of dealing with the measure in Committee—if you do not insist upon going back to an earlier date than 1660. There is no intelligible reason to be given for the selection of that date. Does any man believe that the Church of England came into existence in Ireland in 1660, and not before? What were Usher, Bedell, and what even was Jeremy Taylor, if they were not members of the Church of England? Did Jeremy Taylor, before he received the Bishopric of Down and Connor, hold different opinions from those which he entertained as Bishop? The thing will not stand examination, and, therefore, the date must be fixed at a much earlier date than 1660. I also believe that your Lordships will insist that the same justice shall be dealt out to the Protestants in Ireland which is given to Maynooth. I do not grudge to Maynooth its fourteen years' purchase; but what is the distinction drawn between the two cases? If professors of education are to be supposed to live for a longer time than other people, and if a student of Maynooth, whose whole career is not generally more than some three or five years, is to have a fourteen years' interest for the purpose of reckoning compensation, I cannot understand why the Protestant incumbent of a parish should not receive the same measure. Therefore I say that whatever the basis on which you calculate the life interests at Maynooth, you should calculate the life interests of the Protestant Church in the same manner. Then, as to the glebe houses—if you cancel the building debt on Maynooth, with what face can you deal out a different measure to the Protestant clergy?—how can you ask the incumbents to pay for the glebe houses and the gardens which have been created by their own industry? It is altogether inconsistent with the Preamble of the Bill, which says that equal justice is to be dealt out to all parties. I venture to think, my Lords, —though, perhaps, I stand alone on the right rev. Bench in entertaining the opinion—that it would be a great advantage to the country if this measure could, in its details, have the benefit of your Lordships' full consideration. I cannot help feeling, my Lords, that if you were able out of this Bill to make anything like a good and permanent settlement of this great question you would earn the gratitude of the country. I was waited upon a short time ago—as I daresay many of your Lordships have been—by a deputation from Ireland, and I ventured to put to them this question —"What is your policy with regard to the Irish Church?" The answer was in effect that if I gave them three months they would find a policy, but at the present moment I gathered they had none. The fact is that the real strength of the Government in dealing with the subject has been in this—that they have had a policy, and that others have not had the advantage of standing in the same position. Now, my Lords, there are probably two months more of this Session remaining, and I cannot but think that this House, comprising among its Members the heads of the Law and the heads of the Church, who may be supposed to understand something about this particular matter, a fair representation of the intelligence of the nation, and the great landed proprietors, is much more likely to arrive at a satisfactory policy on this question than can be arrived at by any amount of agitation at meetings held in Manchester, in Ireland, or in any other part of the kingdom. Though such a policy as I have ventured to recommend may not conciliate those who desire to destroy this House and its legitimate influence in the nation—though it may not conciliate the Ultramontane Roman Catholics on the one hand, or the violent political Dissenters on the other—yet I feel assured that you will carry with you the sympathies of all the moderate Roman Catholics in this country and in Ireland —especially of the Roman Catholic laity —if you step in and by a wise measure save them from that priestly dominion to which I believe they are quite as unwilling to submit as any one of ourselves; but which the necessities of their position, and the change which has come of late years over the character of their clergy, so forces upon them that they are bound hand and foot. I am sure, my Lords, that if you were thus to send forth to the country a wisely considered measure, you would earn the gratitude of those who are the very sinews and heart of the people of Ireland, those who are foremost in her industry and in all those qualities which constitute good citizenship—I mean the Protestants of the North of Ireland. If you are able thus to construct a measure dealing with this great subject, I am sure it will not be merely in words that the people of this country will now, as they did once before, thank God that they have a House of Lords.

THE EARL OF CARNARVON: My Lords, no one can approach this subject without feeling conscious of the great difficulties by which it is beset. I will not, however, waste your Lordships' time by making my excuses for taking part in this debate, nor by expressing any regret that the Bill under our notice has come before us, bound up—as it unfortunately has been—with the issues of party warfare. In the remarks with which I am about to trouble the House, I shall follow the natural division of the subject with which we have to deal, and address myself first of all to the question of disestablishment, and then to that of disendowment. I certainly am not in any way insensible of the advantages of an Established Church. Every sympathy, almost every prejudice, I have goes in favour of it. There are few persons who contend even now-a-days that society can well exist without the bond of religion; and few will deny that an Established Church contributes largely towards the maintenance of that bond; and while, my Lords, I cannot subscribe to all that has been said this evening with respect to colonial Churches, this, at least, I will say, that what has been done in the colonies in Church matters is due not only to the spirit of voluntaryism, but sometimes also has been done in spite of voluntaryism. On the other hand—and I feel particularly called upon to say so after the course which this debate has taken—the advantages of an Established Church are rather advantages to the State than to the Church. There was a time when the Church was not connected with the State, and I have yet to learn that that was not the purest, and, perhaps, the best period of her existence. There was again a time when the State sought a connection with the Church, because the Church was the first and prime element of civilization, and when the confession of the Trinity stood first on the Imperial Code. Again, there was a time when the union between Church and State was real—when every member of the State was a member of the Church; and lastly, there have been times when the Church was a slave of the State, when their powers were unequally divided, and when the slave was sometimes compelled to wear, not fetters of gold, but fetters of iron. The mere union of Church and State is not enough. Politically, the union of Church and State was never closer than before the French Revolution; while, religiously, society and the Church never stood further apart. Those were days of great revenues and high privileges, and, as I think they were sometimes falsely called, of the Gallican liberties. But the Church fell, and fell with a crash such as was never seen before, and such, as I trust, will never be seen again. Why did she fall? Because she was dependent on the State—because she was interwoven with the State—and the weapons of her destruction were not the weapons manufactured by the Revolution, but, as modern researches show, weapons wrought in the workshops of the *ancien régime.* But, in dealing with such a question as this, it must never be forgotten that the Church has two sides. It has its temporalities, but it has its spiritualities also, and into the latter no State can enter, because there the rights of conscience are at issue. And this, after all, is a question, which is not confined to this House or to this country. It is a question with which all Europe at the present day is labouring; in one form in France, in another in Spain, in another in Austria. It is possible indeed, as I believe, to reconcile these two great powers—the temporalities and the spiritualities; but still the times are dangerous when you find the Church compelled to fight at once for both its possessions; when Cæsar lays claim not only to the things which belong to him, but also to the things which are God's. The danger of this state of things is that you run a serious risk of confusion, and that in that confusion the higher is sometimes sacrificed to the lower object. Now, with regard to this particular question—of the Irish Church —how does the matter stand? It is not my place to endeavour to make out a case for the Bill which the Government have introduced. My object is rather to point out how far I can accept that Bill as applied to the special circumstances of Ireland and the Irish Church. Let me, in the first place, say that I do not understand the ground which is taken by many persons in this House, and in the country on this subject. I do not quite understand the ground which is taken up by Roman Catholics, opposed as they always have been by traditional policy to such a change as this, and internally opposing in Austria at this very moment the ecclesiastical reforms there, and meeting them by precisely the same arguments as those used in the present case, by many of my noble Friends who are strongly opposed to this Bill. Nor do I comprehend the position of the Dissenters in England. I do not understand how they can reconcile it to themselves from their own point of view to hand over an undivided Empire to the Church of Rome. Nor do I quite understand the ground taken up by the modern school, who think the Church a useful appendage to the State, while they maintain that she should be kept in strict subordination to it. Lastly, it seems to me that those who honestly support this measure as the means of pacifying Ireland will find themselves grievously disappointed. On the other hand, however, I am bound, in candour and fairness, to say that I recognize some merit in the freedom from the control of the State which this Bill gives the Church in Ireland—that freedom from the control of the State which long kept her in a kind of slavery, which for so many generations made her the cesspool of official patronage, and which induced Swift to describe her as full of birds of passage who came to fatten and thrive on her revenues. My Lords, I admit that the Church of Ireland is the Church not only of a minority, but of a small, and even of a fractional minority; and no one would venture to propose to re-create it if it did not exist. It is true also that the Church of England in this country has, at various times, been more or less national in its character. In the time of William III., when a great break took place, that was more or less true of it; and since then the doctrines of majorities have been constantly adduced. And now, what is the state of things in the colonies? In those colonies which have representative institutions there is not the shadow of an Establishment left. In the Crown colonies there is, indeed, a *quasi* Establishment. It has been fostered too frequently by more of zeal than of wisdom; but at last the facts and circumstances have been too strong for us, and it is gradually crumbling and passing away, even against the will of all the parties concerned—even against the will of its friends, and yet, to a certain extent, with their consent. I venture to say this with some confidence, because when I held the Seals of the Colonial Office I entered upon its duties with a strong prejudice in my own mind in favour of an Established Church in the colonies. But I was gradually forced to see that it had become impossible, and that the principle of Establishment was gradually melting away, with the consent of both the great parties in this country. Look at the colonies that have representative institutions. In the words of the Canadian Act, you have not even the "semblance" of an Established Church in those colonies. In Malta you have a Roman Catholic Church established by law—and, in fact, nowhere in the British dominions, except in Ireland, is the Church of a small fractional minority the Established Church of the country. But, then, it may be said that my argument may be carried further than I intend to go, and my noble Friend who spoke from the back Benches referred to the case of Wales. Now, I deny that there is any real analogy between the case of Ireland and that of Wales. The differences are very plain and obvious. They are not only in their physical conditions absolutely distinct, but whereas Roman Catholicism in Ireland has been an indigenous plant, Dissent in Wales is purely an exotic. While in the one country Roman Catholicism was planted centuries ago and has for generations—from time immemorial—been the religion of the people, Dissent in Wales has been introduced in recent times, and has been introduced by the sloth of the Church and the indifference of the State; I venture to hope and believe that it is now gradually being remedied by a better and improved system. But of one thing I I am clear—that the case of the Church of Ireland is not in any sense identical with that of the Church in England. Its history and its circumstances are all different. Its relations to the State and to the people are different; and I would venture to warn those who think that in this Bill they can seal the fate of the Church of England, that they will find the case a very different one. I would venture to remind them that the Government and its supporters stand as deeply pledged as words can commit anyone to the fact that the case is entirely different between the two Churches. My Lords, it was said by my noble Friend behind me, who moved the rejection of this Bill (the Earl of Harrowby), that it was equivalent to a repeal of the Union. Without discussing that point too closely, I must frankly acknowledge that I failed to follow his argument. I do, indeed, think that it was a misfortune that the union of Ireland with this country was originally a religious as well as a political one. It has not been so in the case of Scotland, and the beneficial results are to this hour before our eyes. And I cannot, for my own part, but look upon the problem to be solved rather as a national than a religious problem. It seems to me much the same problem in that respect as was the problem in 1828. Then, as now, there were three alternatives—emancipation, re-conquest, or repeal. You might almost describe our present position in the same language. Then, as now, there were the same resentments for the past, the same vague hopes for the future. Then, as now, Ireland was divided into two camps, and exposed to all the chances of a religious conflagration. Then, as now—because the parallel is really very curious—a very large part of England, at least, was adverse to the change, while Ireland was favourable to it, and just as the Union carried Roman Catholic Emancipation, so is the Union now carrying the present measure. Whether the Government of that day were responsible for refusing all concession, and whether the Government at this day is responsible for promoting agitation, it is not for me to say—it is enough for me to repeat that it is rather a national than a religious problem. I know well how deep must be the shock to the feelings of the Protestant population of Ireland; for, after all, the question is interwoven with the feeling and habits of generations. I cannot, however, but believe that when the religious question is disentangled they will find that they have lost in no degree either their great political or social influence—because, after all, their courage, manliness, independence, and ability are inherent in them, and must, under any circumstances, assert their power, and these are qualities which, as no legislation can give, so no legislation can take away. And here I cannot help expressing my regret that in all the discussions on this subject in "another place" there should have been apparently so great a want of sympathy with them on the part of those who had the conduct of this measure. It has affected my own mind, and I can conceive how much more deeply it must have sunk into the minds of those who felt that their nearest and dearest interests were concerned. In the rigid silence that was observed—in the forced absence of all argument in reply—sometimes in the conciliatory words which were not spoken, sometimes in the hard things that were said, I own I saw something that reminded me of the barbarous conqueror who, in lieu of argument, threw his sword into the scale. Well, my Lords, I now come to the question of disendowment. Disendowment, as I understand it, is allied, in popular estimation, to two somewhat different things. It means, in the first instance, the appropriation of this property to religious uses; and, on the other hand, it means mere secularization. The measure of Her Majesty's Government stands somewhat between the two. I, for one, should greatly prefer the application of the property to religious uses. I prefer it, because to take it away from these religious purposes seems to take away the best heritage of the poor; and because, if so taken away, it is likely to find its way into the hands of classes that least need it. But what, after all, is the meaning of religious uses? In the early Church, as your Lordships will remember, tithes were supposed to be applied to the three purposes—for the benefit of the clergy, for the maintenance of the fabrics, and to the relief of the poor; and the relief of the poor in itself formed a religious endowment. As far as I am personally concerned, I entertain no great objection to that portion of the plan proposed by the Government; but then, on the other hand, I am bound to say that that plan is scarcely homogeneous and consistent, that other objects besides the support of hospitals enter their proposal; and that the modern doctrine is emphatic that such an application of public money tends ultimately to pauperize rather than to relieve. Some of the supporters of Her Majesty's Government hold this view, and I must leave it to the Government to settle the question with them. But we are also obliged in this case to consider the question of secularization, because secularization forms one of the principles of this Bill. My noble Friend the Chairman of Committees has spoken on more than one occasion in very strong terms of what is proposed to be done by this Bill. He has called it plunder and spoliation. If it were what my noble Friend holds it to be, his views would unsettle a very large amount of property in this country—property which has been settled for generations. If secularization in such a case as this was what my noble Friend describes it to be, I never would vote for it, and I can conceive no circumstances, either in this House or out of it, which would be sufficient to justify your Lordships to assent to such a policy. What does the secularization of corporate property mean? I think my noble Friend's description may be applied to the secularization of corporate property in either of two cases—if the Sovereign puts the money in his pocket, or gives it to his favourites, as at the time of the Reformation; or if the State, taking it, turns out those who have life interests, without making provision for them as at the time of the French Revolution. For my own part, I draw a distinction between private property and corporate property in respect of the power of the State, for it appears to me that the law of England recognizes that distinction, and not only recognizes but has acted on it. It has exercised, by way of ordinary regulation, its right of interference with corporate property in the case of the reform of municipal corporations, in the case of the Charity Commissioners; it has exercised, by extraordinary authority, its right at the period of the Reformation. And going back further, and looking at the effects of the Reformation—of course, I speak of its temporal effects—if we take away the statutes of Henry VIII. and Elizabeth, how many of the titles to property are taken away with them? How far the State is justified in interfering with the property of a corporation, which continues to discharge the duties for the discharge of which it was established, is a different question. The State has a double power. It is absolutely powerful over all property; but this is simply the force of the strongest. It has also a moral competence, bound by considerations of policy and good feeling and private rights; and that State is the wisest which acts in these matters with the greatest tenderness and forbearance. But, as a matter of fact, I admit the right of the State to disestablish and disendow; and, my Lords, though disestablishment and disendowment are not the same thing, I admit that if there be disestablishment a certain measure of disendowment does seem necessarily to flow out of it. But then arises the last, and perhaps the most important, consideration in connection with this measure—namely, what is to be the character and extent of the disendowment in this case? Must we look on the disendowment proposed by the Government as a gracious and generous measure of disendowment, or as a hard measure exacted in strict accordance with the letter of the bond? I will not trouble your Lordships with many figures; but I must say that my estimate of what the Bill leaves to the Church falls little short of that made by the most rev. Primate. On Mr. Gladstone's own calculation, we may take the capital of the Irish Established Church at £16,000,000. The charges, exclusive of £500,000 private endowments, and £250,000 building charges, are £7,900,000; the surplus appropriated to hospitals, £7,350,000. These charges and the surplus so appropriated make a total of £15,250,000, leaving £750,000. Of this, £500,000 private endowments go to the benefit of the Church, and £250,000 are for building charges which the Church will have to make good, and which, therefore, must be deducted from the £500,000. There will remain then to the Church only £250,000. But if we take into account the expense of issuing a Commission similar to that which the Government proposed to issue, for which £200,000 has been mentioned as the cost, I will assume an outlay of £100,000; and thus only a beggarly £150,000 will ultimately be left to the Church. Is it not almost a mockery to propose that only such a sum as that should be saved to the Church out of her present property? Did any of us suppose last year that such a scheme of disendowment as that would be connected with the disestablishment of the Irish Church? I say nothing of life interests. We owe the Government no thanks for them. Those who are entitled to them may take their compensation and draw out the last farthing, leaving absolutely nothing to the Church—therefore, we have no right to take those life interests into account in considering what is to be done for the Church. I will not now dwell on the date 1660—so arbitrarily fixed on as the limit in case of private endowments—nor on the capitalization scheme, which, as it now stands, must end in utter failure, and other similar points; but I say the fact remains that only the inconsiderable balance of £100,000 or £150,000 will be left to the Irish Church when this scheme has been carried out; while within the last century the Roman Catholic Church in Ireland has, under the protection of Parliamentary enactments, been allowed to accumulate property to the amount of £5,000,000 or £6,000,000, and has now an income of of £600,000 or £700,000 a year. If that be so, surely it is unjust to the Protestant Church in Ireland to place her in the position you now propose. Remember that her shortcomings, whatever they may have been, have been mainly due to the State. Remember all the promises made to her by statesmen representing all parties—the promises of Sir Robert Peel, of Lord Palmerston, of the present Prime Minister, of Sir George Lewis, of Sir George Grey, the promises of every Minister of distinction. We are told not to fear, for voluntaryism will do all for the Church in Ireland. Now, I have myself more faith in voluntaryism than many of the noble Lords who preceded me in this debate; but I do not believe that it can perform impossibilities. There is a great difference between voluntaryism in a new and in an old country. In a new country it is possible and convenient. It develops easily; it grows with the growth of the population and the wealth of the community. In an old country everything is, so to speak, out of proportion with voluntaryism, and it cannot develop itself in the same degree. It must be remembered that the provisions, even those which are favourable, in this Bill are rather against the success of the Irish Church with the voluntary system than in favour of it, because the very fact of life interests being granted to the clergy cuts and cripples the voluntary effort; whilst after a certain number of years these life interests will expire, and the Church will be thrown on its own resources. But whilst some of Her Majesty's Government say that the Irish Church will in time grow rich on voluntary efforts; on the other hand, the Chancellor of the Exchequer is reported to have stated that it was dangerous to have a Church too rich. But the right hon. Gentleman is reasoning like the Sicilian tyrant who took the golden cloak off the statue of Jupiter, saying that in summer it was too warm and in winter it did not keep out the cold. Wherever the truth may lie between these adverse opinions, I would beg to impress on noble Lords that if the question in this case be one of mere money, it is unworthy of the Government and of Parliament to haggle over it. For my own part, I think that in a case like this the wisest policy is to be generous. I quite believe, my Lords, that there are a great many in your Lordships' House who do not agree with the view which I have been induced to form upon this subject; but, on the other hand, I believe that there are a good many others who, while disliking the Bill, yet hesitate as to how far it is right to reject it. To these noble Lords I venture to appeal. I appeal earnestly to them in this great crisis to accept the second reading of this Bill—in the first place in the interest of this House, whose authority should not be unnecessarily strained; secondly, in the interest of the Church of Ireland, which can gain but little by delay; and, lastly, in the interests of Ireland itself, which ought not, but which may, in the event of this measure being rejected, become a battle-field of desperate and dangerous faction. My Lords, we know that in this matter the responsibility rests upon Her Majesty's Government. Her Majesty's Government have accepted that responsibility. But though this is so, I would remind your Lordships that the power of protest—of solemn and powerful protest—belongs to this House. For my own part, I believe that there may be many of your Lordships, who, while seriously opposed to the Bill, may yet yield up their opinion to the extent of reading this Bill a second time without dishonour. After all they will not be yielding to the House of Commons. We have before now had differences with that House, and sometimes they have gained and sometimes we have gained. But in yielding up their opinion on this occasion they will not yield it up so much to the Lower House, as to what I understand to be the distinct and deliberately expressed opinion of the country. I am aware that my noble Friend who has moved the rejection of this Bill says that the country has not yet deliberately expressed its opinion upon this measure. But, on the other hand, your Lordships cannot fail to remember how fully this question was debated last year—you cannot fail to remember how fully it was discussed at the time of the elections, and how large a majority of the Members of the House of Commons were distinctly returned in favour of a disestablishment of the Irish Church; a majority so large as to warrant, aye, and even to induce, your Lordships to give this Bill a second reading. On the other hand, I venture also to think that the minority on this subject—a minority which is represented in the House of Commons—is so large as to require of your Lordships' House every consideration when this Bill gets into Committee. But my noble Friend, in moving the rejection of the Bill, also declared that the decision of the country upon the question is not final, and that time only is required that that decision should be reversed. My Lords, I am much afraid that my noble Friend is mistaken upon this point also. I think there are but few of your Lordships here present who in your heart of hearts believe that that decision is not the definitive judgment of the country; and if this should be the case, then we should be making a great mistake were we to misapprehend the feeling on the part of the country. It is in these aimless combats, if I may so describe them—in these aimless combats of the rear-guard after the battle has been decided, that power is wasted, and that great opportunities are sometimes thrown away. My Lords, whilst I venture to thank your Lordships for having heard me with such patience, knowing how few there are among you who agree with me altogether on this subject, I must once and again entreat your Lordships not to strain your power unnecessarily, and not to defer concession until it can no longer have the charm of free consent or be regulated by the counsels of prudent statesmanship.

THE BISHOP OF DERRY: My Lords, any person who feels as profoundly as I do on this subject, and who occupies the position which I fill, must necessarily realize the importance of the grave and solemn issue now before your Lordships; and I think I shall require considerable sympathy when I address you. I am afraid that I am in danger because I am an Irishman—in still greater danger possibly because I am an Irish Bishop — of using strong words instead of strong arguments. But I am sincerely anxious on the present occasion to place a restraint upon my own private feelings while I endeavour to lay before your Lordships a line of argument and to adhere to it as closely as I can. I wish to address a few observations to-night to those who are the opponents of the Irish Church, and who are therefore the supporters of the present Bill. It is, indeed, the peculiar fortune of the Irish Church—I do not say whether it is her good or her bad fortune—that those who are her friends in one sense are her enemies in another—those who are the enemies of her Establishment, but who are the friends of her spiritual body. Her case is exactly the reverse of Israel of old—not "they who hate us" but "they who love us" would spoil our goods. Now, my Lords, I desire to remind such enemies of our Establishment and such friends of our Church that the action of this Bill will be to reduce our Church to voluntaryism pure and simple, or as nearly so as possible, and then I shall endeavour to prove that voluntaryism is absolutely unsuited to the soil of Ireland. This Bill has been described as a generous and gracious measure; and we have heard to-night from several noble Lords of the generous and kindly treatment which we are likely to receive in the Amendments which will be introduced into the Bill in Committee. But, my Lords, there are some reminiscences which it is difficult to efface from the mind. It is hard for us Irish Churchmen to efface from our memories the manner in which certain Amendments were treated in "another place;" amendments obviously just and reasonable and declared to be such by some of the first lawyers of the age, whose predilections might fairly be supposed to be in an opposite direction. The noble Earl who has just addressed your Lordships (the Earl of Carnarvon) has laid down a distinction between the property of individuals and that of corporations. Now, I will not for a moment dispute that doctrine, but I have here a passage from Hallam, which throws additional light upon the subject. Mr. Hallam expresses his belief that the Legislature can alter the course of transmission in the case of corporate property, unless the succession has already been designated or rendered probable. Now, apply that doctrine to the case of the unfortunate curates of the Established Church in Ireland; and, at the same time, remember that Amendments as obvious as that which proposed to give them compensation for the loss of their prospects were rejected—that which proposed that the glebe houses, upon which such large sums have been laid out from time to time from the capital of the successive incumbents, should be given to the Church Body without reservation — that that which proposed that the second year of the reign of Elizabeth should be substituted for the mystical and wonderful date 1660, as that from which private endowments were to be respected, were met with either contempt or else by what has been described as the "conspiracy of silence." The noble Earl who proposed the second reading of the Bill dwelt upon the improvements introduced into the Bill in its progress through Committee in the House of Commons. But he touched rather lightly on the matter, and I have noted down the chief of those Amendments as far as they bear upon the Irish Church. I will now refer to them. In the 3rd clause we find the names of the Commissioners to be appointed by Her Majesty's Government. Against those names I have not one word to say. Among them I find that of a noble Lord who is now in this House, and whom I do not even know by sight (Lord Monck), but whom, notwithstanding the difference beween our views on the subject of the Irish Church, I myself should have been the first to name for that office. In Clause 6 we find the salaries of the Commissioners fixed; they are respectable men and their salaries are eminently respectable. I have been informed that the insertion of the little word "as" will prevent our private plate from being vested in these most excellent Commissioners. In the 13th clause there is an Amendment, which I suppose I, as an Irish Bishop, should acknowledge with gratitude. After the passing of this Bill I shall be no longer a Spiritual Peer, but I am to be permitted to retain the title and precedence which I owe to the favour of Her Majesty. In Clause 24, in the original draft of the Bill, there was a provision, under which the Commissioners were to be permitted to keep up twelve of the cathedrals and churches belonging to the Irish Church as national monuments; but in the Bill as it now stands that clause is omitted. I am not one of those who complain of the omission of that clause—at least, in the form in which it was drawn—but it certainly is not an omission on the side of generosity. Generosity! I say of this Bill, *Nil generosum, nil magnificum sapit;* it is intensely grinding and penurious — it is as niggardly of its gold as it is of its words. But I recognized for the first time, with much gratitude, a really excellent provision in the 14th clause, by which the compensation to beneficed persons and clergymen other than curates is not tied down to the discharge of their present duties, and in which provision is made for the case of those Bishops and clergymen who may be sick or disabled. But I do assert that the Bill, as a whole, leaves nothing to the Church as distinguished from individual members of it. It provides only for the life services of the present generation of incumbents. It has been made a subject of much congratulation that the churches have been left to the Protestants of Ireland. Now, really, my Lords, considering that it can be distinctly proved that since the abolition of church rates £800,000 have been laid out upon these churches by the private and voluntary gifts of Irish Churchmen themselves, I do not think that any great generosity can be urged in this matter. To-night I heard a sum of about £8,000 a year referred to; but, with that exception, I think it may be asserted that this Bill as it stands does reduce us almost to the voluntary system, pure and simple. I will ask your Lordships' attention while I endeavour to show that voluntaryism is absolutely unfitted to the soil of Ireland. The arguments drawn from voluntary Churches in other parts of the world are in the highest degree precarious. We shall all of us, I dare say, remember some words which were spoken by the noble Lord (Lord Monck) at the beginning of the Session in moving an Address to the Crown. The noble Lord spoke about his experience of voluntaryism in Canada. I need not dwell on facts which have been so often brought forward to show that the parallel fails: it fails constitutionally, it fails materially, and, as one who has taken considerable pains in the working of the Propagation of the Gospel Society, I say, with all respect for the noble Lord's talents and equally undoubted sincerity, it also fails practically. At the beginning of a memorable debate with regard to Establishments we were reminded that there were two aspects under which they might be viewed. I believe we shall find, in like manner, that the voluntary system in Canada is one thing as seen in the bird's-eye view of a Governor General residing greatly among the French population of the provinces, and, perhaps, seeing the voluntary system under the soft and rosy light thrown over it by the richly-endowed Roman Catholic Canadian Church; but I can assure your Lordships many of the pastors and clergy of the Canadian Church speak in very different terms, and write home in something like anguish. They tell us that they are quite unable to fill up any vacancies in their stations, while the French Roman Catholic population, with their richly-endowed priesthood, increase by hundreds every year, and boast that in ten years they will trample out the English and Protestants and drive them from the country. That is not a very encouraging analogy to propose to us. A great deal has been said about a pure voluntary Church. I will not dwell on the analogy of the Free Church taken up by the most rev. Prelate (the Archbishop of Canterbury) with such power; but the analogy of the Scottish Episcopal Communion is still less encouraging. The Primus of Scotland reminded his clergy last year that within a century after the disendowment and disestablishment of the Scottish Episcopal Communion her clergy were reduced from 1,000 to forty-two. She has at present, I believe, only 30,000 members and about 170 congregations. Recently a strenuous attempt has been made to raise the income of its Bishops to £500 a year, and of the clergy placed in permanent benefices to £150; but with what result? At the last meeting of the Scotch Church Society it was announced that they were only able to bring up the percentage to some 10*s*. 8*d*. in the pound. I ask you whether you wish this analogy of the Scotch Episcopal Communion to be applied to Ireland? Do you wish the Protestants of Ireland to be absorbed in the religion of the majority? Do you wish to cover the land, North, East, South, and West, with the thick darkness of Ultramontane superstition—to "make a solitude and call it peace?" Let us look at the working of voluntaryism on the soil of Ireland itself—let me speak of the Presbyterians of Ireland, as far as they are a voluntary body. Mr. M'Allister, of Belfast, a very competent authority, compiled some statistics in the interests of the Presbyterians themselves, showing that there are 600 Presbyterian ministers under the General Assembly in Ireland for whom the State grants a provision of some £40,000; and that of these there are fully 100 ministers with incomes of £95 per annum, and that of the assistants there were many with salaries ranging from £50 to £70 a year. "Imagine," said Mr. M'Allister, "what a life of poverty, distress, and martyrdom these men must lead, especially if they have wives and families." With such painful facts under their own eyes, if one did not know the exquisite pleasure of humiliating a successful rival—the refined enjoyment that all truly liberal minds of modern stamp feel in reducing to primitive poverty those whose office they do not the least in the world believe to be primitive in its origin—it would be difficult to credit that any sane man, knowing of the existence of such distress, could wish to put ministers of his own communion upon the voluntary system. By this handful of voluntaries among the Irish Presbyterians, it is asserted that the Church will get on much better without endowments. They themselves, however, like the old lady who shrank from a dose of antimony, but thought it quite natural to take the same thing as tartar emetic, have no objection to perpetual endowments for their own lifetime under the delightful name of annuity. Then we are desired to look at the voluntary system as it exists in the Church of Rome. I wish to speak with all consideration and tenderness for the views of noble Lords who may differ from me; but I think there can be no offence in saying that in those moments of reflection which will come to every man's mind, when he looks forward to a dim and distant future, the Roman Catholic sees before him a long period of suffering, which may be abridged by definite acts; and when he also sees something far higher and nobler than that — when he looks in imagination to the spirits of the loved and lost, when he looks back on all the unkindness which may have taken place in life, what man with a man's heart would not coin that heart into gold if he could only help them? As long as the coarser motives of fear, and the finer motives of love remain, the Roman Catholic priesthood will always have a tremendous leverage. But truth compels me to add that the peasantry of Ireland are surrounded by a marvellous organization. Only fancy—in that happy and favoured district, where Father Lavelle and his parishioners understand each other so thoroughly, that any difference of opinion upon subjects celestial or terrestrial may be accompanied with such disagreeable consequences — only think of a peasant wanting to resist the so-called "voluntary system." I will now read to your Lordships a passage from a speech of a person of the highest genius and authority. In this speech the eloquent speaker declares that the voluntary system does not appeal to the law for support, and then describes the characteristics of that system "whether depending upon due or undue influence." [A noble LORD on the Treasury Bench: Whose speech is that?] It is Mr. Gladstone's definition of voluntaryism! The Irish peasant is either not a voluntary at all, or if he be a voluntary, it is in the same sense as the soldier whom Sheridan saw carried off by a picket with drawn bayonets to do do his duty. I have here Returns, which I believe to be authentic, of the fees ordinarily paid in one diocese of the Roman Catholic Communion. They are under various heads — masses, stations, mortmain, Christmas offerings, Easter offerings, &c.; and, my informants tell me that, according to the means of the people, those various dues amount to £150, £200, or £300; and, in parishes, where there is a large population, to £600 or £700 a year. Speaking in May, 1867, in answer to the Member for Londonderry (Sir Frederick W. Heygate). Mr. Gladstone said that the wealthy Protestant landowners ought not to be afraid of the voluntary system, which was applied in town and country to the Roman Catholic population living by the sweat of their brow. ["Hear, hear!"] I will answer that argument, which I see is received with favour by noble Lords behind me. We have heard, not only of this Church Bill, but of a Land Bill, which is in the pocket of some Member of the Government — a Bill which is to substitute a native Roman Catholic and Celtic proprietary for the present Protestant and so-called foreign proprietary. If you are going to get rid of the Protestants, how on earth are you to work this voluntary system? Not content with cutting off the supply of water, you choke up the well with stones and sand, and then you tell us—"Go, in Heaven's name, and drink abundantly." The success of the voluntary system does not depend at all on the rich few—it mainly depends on the middle and poorer classes—on the many who have just enough to be able to afford something. I say, this Bill leaves us voluntaryism pure and simple; and that voluntaryism, pure and simple, is utterly unsuited to Ireland. I am not now arguing with those who are the enemies of religion in general, or of our Reformed Church in particular. I am sure that none of those will be found in this House, with whom the cry of justice to Ireland is accompanied by some whistle, perhaps, to the Liberation Society over a hedge. I am speaking in this House, I am sure, to many who are earnest and conscientious supporters of this measure, and who think that in some way, which they cannot explain, it is sure to do good to Ireland in the long run: and I desire to say to them, firmly but respectfully, that they cannot justify their course of action on a question like this by arguments of that kind. I entreat your Lordships, as you value the Word of God—as you would not extinguish the one beacon-light on a dark shore—as you would not take from a handful of peasants that religion which is to them a source of instruction in life, and of consolation in death—draw back your hands from this measure of spoliation. I am sure we have no cause of complaint in the kindly and genial spirit in which the noble Earl (Earl Granville) behind me performed his task this evening. It was very refreshing, after the very different treatment we have met with from other quarters, to be treated by him in so courteous and so considerate a manner. Many harsh and unscrupulous epithets have been applied to the Irish Church; and I feel it right to say something in answer to the charge so repeatedly made that that Church has always been a most intolerant Church. I deny the charge. A vein of tolerant principle ran in the worst times through the Irish Church. I might cite many instances of this, but I will mention only one which I have not seen noticed elsewhere. In 1762—the days of Primate Stone—Bills were brought in under the influence of temporary panic, to re-enact the Penal Laws in Ireland against the adherents of the Church of Rome; but those Bills were thrown out by the influence of Primate Stone and four other Prelates who publicly denounced the treatment to which the Roman Catholics were subjected in his time, and demanded a relaxation of those laws. My Lords, I must protest against the use of the epithet "intolerant," as if the Irish Church had a peculiar claim to it. That is simply throwing dust in the eyes of the people. You are condemning the Irish Church of the last century because it did not act upon principles not then recognized, and which had not then become a part of the heritage of public thought. If you judged other bodies and other men as you judge that Church, who would escape scatheless? Calvin justified the execution of Servetus, and held that heretics should be punished by the sword, and he refers to that great light of the Western Church St. Augustine in support; and Locke, in his *Essay on Toleration*, specially excepted the Roman Catholics from toleration. I do not wish to say anything disrespectful of the Scotch Kirk, but in 1712 it expressed itself astonished and afflicted at a monstrous Act for preventing the disturbance of religious worship conducted according to the Episcopal communion. We are often told that the Irish Church has always been intolerant and the English Church always tolerant. A very beautiful antithesis. But what are the facts? We have all heard the very cordial declaration, as I take it, of the present Government that it is strongly in favour of the principle of Church Establishment for England. In the month of February, 1851, a distinguished Member of the present Cabinet (Mr. Bright) showed his partiality for the principle of Church Establishments in a speech which I will take the liberty to quote—

> "I do not blame this Church (the Reformed Church of England) as being worse than any other Church, I only say that any other Church under similar circumstances would have brought about the same result. In the reign of James I. it was a Church of tyranny and persecution. In the reign of Charles I. it did much to overturn the monarchy; for Prelacy united with the Crown was so heavy it sank the Crown. In Charles II.'s time Dissenters were persecuted right and left, and all the members of the sect to which I belong were, I believe, in prison."—[3 *Hansard*, cxiv. 250.]

I say that if you look at the matter fairly, and compare the Irish Church with her compeers, she has not been so much more intolerant than other Churches and other people were. And when we consider how many Irish Protestants, some of whom are still alive, supported the measure of Catholic Emancipation, which they were so often told would give complete peace to Ireland—when we remember that Government patronage has been accorded by successive Governments in at least as great a proportion to members of the Church of Rome, and when we know that for about half-a-century it has been absolutely out of the power of the Protestants of Ireland to persecute the Roman Catholics, it is idle at this time of day to talk of our intolerance. We have also been frequently told that our Church is not a national Church. I confess I was surprised to hear that phrase applied to our Church in the presence of another Church, which speaks another language and owes allegiance to an alien head. It appears to me a bad sign of the times. Disguise the fact as you will, there are, after all, more nations than one on the soil of Ireland. Surely, it is the part of a wise Government to reconcile them and, as far as possible, to fuse them into one. Our fathers, in legislating for Ireland, thought there was only one nation to be considered—namely, the Protestants. Now you are going to repeat their error, but in a more fatal form; for you are about to forget that there are Protestants in Ireland as well as Roman Catholics. We are often told that the Irish Church has failed in her mission—I ask, in what sense has she failed in it? Has she failed in moralizing and Christianizing her own people? No one asserts that; her worst enemies admit the contrary. Has she failed in contributing to theological, ethical, and general literature? Has she failed in influencing even those Irishmen who are without her pale? Why do you not find in Ireland the intolerance of Spain or the ethics of Escobar? I believe it is greatly owing to the fact of the presence of the Protestant Church which you choose to forget. Surely all will admit that that Church has brought to bear the humanizing influences of science and literature upon the nation's life? I know that these are not a Church's highest work; they are not the fruit of the tree of life; but even when men will not partake of the fruit which it offers them, still, it is at least something that they are benefited by the leaves of the tree that are for the healing of the nations. That being so, I think I have a fair right to complain of the language which is indiscriminately used to excite prejudice against the Irish Church, whether it is deserved or is not. If you proceed — it has been said — to take away the abuses of the Irish Church, why, there would be nothing left. I quote another passage with great pain—

> "Memories, traditions, associations, privileges; well may they be said to be like the angels of evil, polluting by their presence the temple of the Most High."

I appeal to the high and chivalrous nature of him who uttered those words. I ask—not was it true, but was it chivalrous, kind, or generous to use such words as those in reference to the Irish Church, which must convey pain to thousands of Irish men and women? The days have been when Ministers of England have not thought it beneath their high dignity and character to speak with hushed reverence of the presence of the Almighty in that very temple. I mention this with pain and regret. But the most striking instance of this *argumentum ad invidiam* I ever heard, was supplied by an argument on the 27th clause of the Bill. The Prime Minister said in Lancashire some time ago, that his opinion was that the feeling of the country, apart from logic, would never tolerate that if the clergy and laity were disposed to continue the use of the parsonages and churches they should be taken from them. What did the Law Adviser of the Crown say upon that subject? He spoke of the maintaining of the glebe houses of the Irish clergy as a national and sentimental grievance, because it would lead to a contrast being drawn between the miserable cottage of the priest and what he called the very magnificent parsonage of the Established Churchman. My Lords, has it come to this, that we are to be taunted and hooted because our ministers are educated gentlemen? You may remember that Lord Bacon in his famous discourse on the plantation of Ulster speaks of two harps—the harp of David, that drove out the spirit of superstition, and the harp of Orpheus, that expressed the spirit of civilization. [*Cheers.*] Now, I suppose by that cheer we are to throw the one into the river because its notes offend the majority, and to fling the other after it because of its echo. I confess I did not expect in an assembly of English gentlemen to hear a panegyric on nastiness, or an apotheosis of filth. I will now, my Lords, say a few words on some of the pleas which have been presented to us for voting in favour of the second reading of this Bill. First of all, it is said that there is no counter policy. There are only three courses it is said—to level up, to take the plan of the Church Commission, or the Bill before your Lordships. It would be sufficient to answer that ours is a policy of preservation, while yours is a policy of confiscation. But I am by no means sure that another policy might not be provided. The minds of English statesmen are not so poverty-stricken that they cannot find their way out of this difficulty. We have been told again and again that the office of this august Chamber is not to act against the clearly-expressed and ascertained will of the nation. But I venture respectfully to ask in return, is it so certain that this particular measure is the will of the nation? We were reminded by the noble and learned Lord (Lord Romilly) that this House had lost some of its prestige and influence by its rejection of the Reform Bill. But, I ask, is there any parallel between the two cases? Where are the large and excited mobs making wild and fanatical declarations? On the other hand, look, my Lords, at those gigantic and unparalleled meetings which have been held against the Bill both in Ireland and England. Consider again the number of Petitions which have been presented against the measure. I believe that some amongst us who, with the best and kindliest intentions, are disposed to support the second reading of this Bill, because, like the right rev. Prelate behind me, they think that they will be able to manipulate it to their liking, and take all the evil out of it. They wish, as it were, to minimize the amount of evil it contains. For myself, I can only see one possible conclusion. I can only say that I think the only proper course for every brave and honest and Christian man who entertains conscientious convictions on the subject is to minimize the evil by resisting the measure, not to maximize the evil by taking part in its support. The Protestants of Ireland with one voice call upon us to reject the Bill. They call upon us to do so, because, they say, its title is disrespectful to Protestantism—its Preamble somewhat disrespectful to Christianity. They protest against it because it goes far towards dissolving essential and fundamental conditions of the Act of Union—because it is unjust to a portion of the clergy, and still more unjust to the laity of Ireland. They say it violates distinct pledges given to the English nation at the time this great issue was taken. They tell us—and our own common sense tells us — that it is fast dividing our unhappy country into two hostile camps. We decline to take any act or part whatever in a measure which we know to be pregnant with evil consequences, as surely as we know anything that has not actually come. We shall vote against it because we believe that it will practically produce a nominally atheistic nation under the real dominion of a papal Legate. We desire to oppose it to the last, because, whatever may be the intentions of those statesmen who have brought it forward—however high and pure they may be—influences have been at work which even they can hardly estimate at present; because to us it seems to be stamped in every line with a spirit of undying hostility to the Protestant religion; because we believe that the fissure which it will create cannot end till it has overthrown every Established Church in these islands; and because we are convinced that such being the case it is fraught with danger and confusion to the Empire.

On the Motion of Lord Lytton, the further debate adjourned till *To-morrow.*

House adjourned at a quarter past Twelve o'clock A.M., till half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 14*th June*, 1869.

MINUTES.]—Public Bills—*Second Reading*—Drainage and Improvement of Lands (Ireland) Supplemental (No. 2)* [136].

Committee—Contagious Diseases (Animals) (No. 2) (*re-comm.*)* [103]—R.P.

Committee — Report — Endowed Schools (*re-comm.*) [115-163].

Considered as amended—Sea Fisheries Act (1868) Supplemental* [146]; Pier and Harbour Orders Confirmation* [157].

Third Reading—Exchequer Bonds (£2,300,000)* [152]; Sea Fisheries Act (1868) Supplemental* [146]; Pier and Harbour Orders Confirmation* [157]; Titles of Religious Congregations Act Extension* [127]; Public Parks (Ireland)* [147] and *passed.*

TRADE OF EXETER—QUESTION.

SIR STAFFORD NORTHCOTE said, he wished to ask the Secretary of the Board of Trade, Whether his attention has been directed to the inconvenience occasioned to the trade of the Port of Exeter by the proceedings of the Dock authorities at Exmouth; whether the Government will introduce a Measure for the purpose of remedying the same; and, whether he will lay upon the Table any Correspondence which has taken place on the subject?

MR. SHAW LEFEVRE: Sir, the attention of the Board of Trade has been called to the charges levied by the Exmouth Dock Company upon vessels passing up to Exeter under a Private Act of last Session, the effect of which was not, perhaps, clearly understood when it passed. On the other hand, the Exmouth people complain of a similar charge levied by the Exeter Corporation under an ancient charter upon all goods landed at Exmouth. Under these circumstances, the Board of Trade is of opinion that the subject is a very proper one for an arrangement between the two parties, and will be glad to aid in any arrangement which will have the effect of freeing the trade of both places from charges of this nature. It will not, however, be possible, consistently with the Standing Orders, to introduce any Bill this year. When the correspondence is closed I shall have no objection to the right hon. Member moving for it.

SPAIN—BRITISH SAILOR IMPRISONED AT BARCELONA.—QUESTION.

SIR HARCOURT JOHNSTONE said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether the case of a British Sailor, of the name of Jones who has been imprisoned for twenty-three months at Barcelona, pending the confirmation of his sentence to five years in a chain-gang by the Supreme Court at Madrid, has been brought under the notice of the Foreign Office; and, if so, whether the Foreign Office will undertake to represent the case to the Spanish Government?

MR. OTWAY said, in reply, that the case had been brought under the notice of the Foreign Office, and it appeared this seaman had been sentenced to the punishment stated for stealing a piece of sailcloth. It seemed to be a sentence of singular severity, and representations had been made upon the matter to the Spanish Government through our Minister. The Foreign Office was informed, by telegram received on Saturday, that the matter had been referred to the Supreme Tribunal of the Marine, and the decision, it was expected, would be received in a few days.

METROPOLIS — STATUES IN PALACE YARD.—QUESTION.

MR. NEVILLE-GRENVILLE said, he wished to ask the First Commissioner of Works, What has become of the Statue of Sir Robert Peel, lately removed from Palace Yard; whether it is to be re-erected; if so, where; and, whether there are other Statues or Works of Art warehoused in Government Stores; if so, what are his intentions respecting them?

LORD ELCHO said, he also wished to ask the First Commissioner of Works, Whether there is any truth in the report that the statue of the late Sir Robert Peel, which was condemned as an eye-sore and discredit to his memory by the late Parliament, is about to be erected within a few feet of the spot whereon it stood before it was removed by the Vote of the House of Commons?

MR. LAYARD said, in reply, that the statue of the late Sir Robert Peel was now in a Government store. As regarded the re-erection of the statue, he was waiting for a communication from the Committee, under whose auspices it was made, upon the subject. There were two other statues also warehoused in Government stores — namely, those of Brunel and Stephenson. He found that it was proposed to place these statues side by side with that of Canning; but it appeared to him that the particular spot where the latter statue stood was peculiarly adapted for the statues of statesmen, and that it would be an incongruity to place the statues of Brunel and Stephenson there. Besides, the Canning statue was eleven feet high, while that of Brunel was eight and Stephenson nine feet high. He had the statues put into the warehouse very carefully, and it was proposed to place them on the Thames Embankment, which would be an appropriate site for them. With regard to the question of the noble Lord (Lord Elcho) there was no truth in the rumour that the statue of Sir Robert Peel was about to be placed near the entrance to Palace Yard. It had been arranged that Lord Palmerston and Sir Robert Peel should stand back to back, one outside and the other inside the railings—but the latter was removed, and then it was determined that Lord Palmerston's statue should be erected on the outside of the railings. He thought it however, advisable that the sculptor — Mr. Woolner — should place the statue and pedestal in model in their places, so that the House might judge as to the position.

METROPOLIS — CREMORNE GARDENS.

QUESTION.

Mr. J. G. TALBOT said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to the fact that Cremorne Gardens are frequently open until 3 a.m. by special license to the great annoyance of the inhabitants of that neighbourhood, and whether he intends to take any steps to prevent a recurrence of the nuisance?

Mr. BRUCE said, that under the authority of the Act of Parliament the Secretary of State had given permission for the gardens being kept open beyond the usual hour for five days during the present year. Upon inquiry he understood the proceedings at the gardens were conducted with the greatest possible order, and he had received no complaints whatever with respect to them. If such a complaint were made he should feel it his duty to inquire into it.

ENDOWED SCHOOLS (*re-committed*) BILL.

(*Mr. William Edward Forster, Mr. Secretary Bruce.*)

[BILL 115.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 3 *agreed to.*

Clause 4 (Definition of endowment).

Mr. J. LOWTHER gave notice that he would in Clause 29 move an Amendment to except from the Bill all charities not devoted to purposes of education.

Clause *agreed to.*

Clauses 5 to 8 *agreed to.*

Clause 9 (Schemes for application of educational endowments).

Mr. T. CHAMBERS moved, in line 3, after "shall," to insert, "with the consent of the Governing Body."

Mr. W. E. FORSTER said, the Amendment, if adopted, would entirely defeat the Bill.

Mr. LOCKE supported the Amendment. Not only were a vast number of schools in favour of reform, but many of them had schemes drawn up, which they were most desirous of carrying out were it not that difficulties were thrown in their way, inasmuch as it was necessary for them to go before the Court of Chancery for the purpose. He did not know whether the words proposed by his hon. and learned Friend (Mr. T. Chambers) were the precise words that should be introduced; but he was quite satisfied, especially as we did not know who these Commissioners might be, or what course they might take, that the governors of the schools, many of whom had continued to be of the same class of persons from the time of Edward VI., ought to have an opportunity of carrying out the objects of the founder.

Mr. BERESFORD HOPE said, his hon. and learned Friend who had just spoken could not have read the Bill very closely as it came from the Select Committee, or he would have seen that it contained a power of initiating schemes on the part of the Governing Body, in the first instance, in the case of the larger schools, and a concurrent power in the case of the smaller. It might be a matter for consideration by the Committee of the Whole House whether those powers were large enough, but the place to raise the question was when they came to the clauses which dealt with the working machinery of the Bill. Now, he would make an appeal to his right hon. Friend the Chairman of the Select Committee (Mr. W. E. Forster), who had, with an industry and ability above all praise, conducted its labours, and had kept with great good humour men of very different views who composed it up to the collar, whether it would not avoid a great deal of suspicion if the names of the Commissioners were published in the Bill, or, at all events, if they were given at an early date?

MR. T. CHAMBERS said, that other Commissioners had to submit their schemes annually to Parliament. He would not, however, press his Amendment at the present moment.

MR. HENLEY said, that these small charities might be swept away by the Commissioners without any appeal to Parliament. If they wanted to form any great scheme, they might take any number of small charities wherewith to set up middle-class schools, and in that way the poor might be wronged without any interference on the part of Parliament. Such a power could hardly be given with safety to any gentlemen, however able they might be. If these small charities were doing no good, Parliament should make them useful. The only persons protected in the Bill seemed to be the Quakers; all the rest were at the mercy of the Commissioners.

MR. WALTER said, there could be no doubt that the whole Bill hinged on this clause, and that, if the words of the Amendment were adopted, the measure would be practically upset. It was a mistake to assume that by this clause a despotic power was given to the Commissioners. Ample powers were given by the Bill, by which the action of the Commissioners would be watched and guarded at every stage. The Governing Body of any endowed school could not only make objections to the scheme proposed by the Commissioners, but might frame an alternative scheme which must be considered by the Commissioners. An appeal then lay, by the 38th clause, to the Queen in Council, and after all this the scheme must lie for forty days on the table of the House before it became law. [MR. HENLEY: Not unless the income of the charity is £100 a year.] With regard to Quakers and Moravians, it was found that there were certain schools in which their religious tenets were so inextricably mixed up with the origin and constitution of the schools that it was necessary to except them, and the same measure of justice was dealt to certain Church of England schools which were bound up with cathedral institutions.

MR. W. E. FORSTER said, it was not by this clause but by the next that any exception was made regarding Quakers and Moravians, and that when they came to Clause 41 he would state the reasons which had led the Government to limit the appeal to Parliament to the case of endowed schools having an income of £100. He hoped that his hon. and learned Friend (Mr. T. Chambers) would not persevere with his Amendment, which would defeat the object of the Bill. If the Commissioners were named in the Bill, the House would be dealing, not with the Government, but with these three gentlemen. The responsibility ought to rest upon the Government of the day, and they ought not to be relieved of it by naming the Commissioners in the Bill.

MR. COLLINS said, the Inclosure Commissioners made their Reports to Parliament, which had an opportunity, at every stage, of objecting to any portion of an inclosure scheme. There must be some power to alter the present Governing Bodies of these schools; but the best plan would be for the Government to initiate a scheme, and engraft it into an Educational Bill for the year. He hoped that some means would be adopted for bringing the educational schemes of the Commissioners before Parliament practically upon the responsibility of the Government.

MR. MOWBRAY said, he regretted that the right hon. Gentleman (Mr. W. E. Forster) had not more distinctly responded to the appeal of his hon. Friend (Mr. Beresford Hope) as to the Commissioners. In the Bills of 1854 and 1856, for a reform of the Universities of Oxford and Cambridge, the Commissioners were named. The names of the Commissioners were also inserted in the Boundary Bill of 1868, in the Bill of last year for the reform of the great public schools, and in the Irish Church Bill of the present Session. It was not that his hon. Friend and himself distrusted the Government. The ultimate responsibility, no doubt, rested with the Ministry; but the Commissioners had first to deal with the matter, and he hoped that Parliament would receive early information as to the names of the Commissioners.

Colonel SYKES said, he thought that the discretion in this matter might well be left in the hands of the Government.

Mr. GOLDNEY said, that Clauses 9 and 10 were only the enabling clauses of the Bill, and that the discussion should be postponed until a later period.

Mr. GLADSTONE said, that the only desire of the Government was to act in the spirit of former precedents. It was material to remember that the subject had been fully considered by the Select Committee, who, after a discussion and division, voted in favour of the present plan, according to which the names of the Commissioners were not inserted in the Bill. The insertion of the names of Commissioners in a Bill turned, not upon their being paid or not, but upon the fact whether they were mainly held to be responsible to Parliament or to the Government. Whenever the Government were made responsible for the acts of the Commissioners the practice of Parliament was not to desire them to be named in the Bill. On the other hand, if they were named in the Bill the effect was to throw a great deal of the responsibility upon the House of Commons. Now, all the acts of the Commissioners would be null and void, unless approved by the Privy Council, and the responsibility for their recommendations was that of the Government. The course taken by the Government was in accordance both with precedent and reason. The case most relevant to the present was that of the Poor Law Act. The Commissioners who were to be appointed in that Act were much more independent of the Government than the present Commissioners, but they were not named in the Act. There was, however, nothing unreasonable on the part of the House in wishing to know the names of the Commissioners, and he trusted that the Government would be enabled to gratify this desire during the progress of the Bill—probably next week.

Mr. BERESFORD HOPE said, he heard with much gratification the promise just made by the right hon. Gentleman. With regard to the division in the Committee, there was only a majority of 6 against 4 against inserting the names of the Commissioners in the Bill. He trusted that the House would learn the names at an early day.

Mr. HENLEY said, it was important to ascertain at once whether the right hon. Gentlemen the Vice President of the Committee of Council on Education intended to insist on the 41st clause, as it had a great bearing upon the clause now under consideration. He (Mr. Henley) had no doubt that proper persons would be appointed Commissioners, but he saw no reason why the Bill should not provide for the protection of the smaller endowments, as well as those over £100.

Mr. W. E. FORSTER said, he thought that the right hon. Gentleman was anticipating the discussion which would arise on a subsequent clause. It would be open to the right hon. Gentleman when the clause was proposed, either to dispute it altogether or to move to alter it.

Mr. NEWDEGATE said, the Bill took away the legal titles of those endowments, and gave them instead a title dependent only on the Government of the day. In the case of small and scattered charities it would be almost impossible for an hon. Member to get the attention of the House.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 10 (Schemes as to governing bodies).

Mr. T. CHAMBERS moved to add at the end the clause—

> "Provided always, That the Commissioners shall not exercise such power in the case of any Governing Body of an educational endowment of any guild or corporate body of the City of London unless the Charity Commissioners for England and Wales shall, after an investigation made by them, report to the Commissioners in writing that such educational endowment has been mismanaged."

It could not be said this clause would render the Bill nugatory. The schools in the City were admirably well managed; the corporate bodies were, as a rule, proud of them, and it was only fair they should have the protection claimed.

Mr. W. E. FORSTER said, the Amendment would make the Bill nugatory for the City of London. No Bill would have been necessary at all if the Charity Commissioners, as at present constituted, were capable of dealing with the schools. If an exemption were granted in the case of schools in the City of London, it would be scarcely possible to refuse exemption to schools outside the City. The logical result would be to accept the present powers of the Charity Commissioners as sufficient. The Charity Commissioners were hardly worked, and they had no special educational knowledge; and it would be quite impossible to achieve the contemplated reform if the clause was altered as the Amendment proposed to leave it. He should not be acting quite candidly if he were to say that all the City schools were so exceptionally well managed that they ought to be left out of any general scheme for reforming the organization of grammar schools. Undoubtedly some were well managed; one, in particular, managed by the Corporation, was a model school, and had nothing to fear from this Bill. Probably one so well managed would be held up as an example rather than interfered with. There were eight municipal schools, with 1,512 scholars and forty-five undergraduates; but the twelve schools belonging to Companies taught only 1,090 scholars, and sent thirty-five undergraduates to the Universities.

> "The cost from *quasi* public sources—that is, both from endowment and contributions of the governors—is, in the case of the municipal schools, £2,000; in the Companies' schools, £9,400 In other words, the Companies' schools cost *quasi* public funds nearly five times as much, educate little more than two-thirds as many scholars, and produce only three-fourths as many University students. The public cost of the Companies' schools is £8 6*s.* per boy; of the municipal schools, £1 7*s.*"

That was the account given in the Report of the Schools Commission. He appealed to the hon. and learned Member to trust to the good management of the school in which he was interested. The Commissioners and the Government would have enough to do in meddling with bad schools, and would let good schools alone. The last institutions he would interfere with, without good reason, were the schools governed by the Companies of the City of London.

MR. T. CHAMBERS said, as he had received no encouragement from any of the City Members he would not press his Amendment.

Amendment, by leave, *withdrawn.*

MR. BOUVERIE asked if there was to be no power of appeal from the Commissioners? He thought, although power of appeal to the Privy Council might not be expedient in every case, it was certainly necessary in some, because of the largeness of the powers given to the Commissioners: it came to this, that corporations might be snuffed out, without being heard.

MR. W. E. FORSTER said, he would suggest that it would be better to consider this question in the clause devoted to it. Clause 38 gave a power of appeal in certain cases, and the hon. Member for Marylebone had given notice of an Amendment to extend the power to all cases. He (Mr. Forster) thought such a power would only lead to litigation. Large powers had undoubtedly been given to the Commissioners for the difficult work of preparing schemes for re-organizing all these schools; but those powers would be fenced round at every point. The Commissioners might prepare a scheme, but must consult the Head Master and the Trustees, and must consider an alternative scheme sent in by them. Inquiry must then be made before any action could be taken.

Clause, as amended, *agreed to.*

Clause 11. (Educational interests of persons entitled to privileges).

MR. WHITBREAD said, he wished for an explanation of the clause. He hoped to get an assurance that the property of such educational charities as the Bedford Charity would not be diverted from the local objects for which they had been granted. The schools at Bedford were very large day schools, open to all the world. They consequently drew to Bedford a large number of persons having limited incomes, and anxious for the education of their children, and a number of houses had been built likely to suit such families. The question was, therefore, one of property, as well as education, as far as Bedford was concerned; for if the school were stripped of its endowment, those who lived at Bedford, for the educational means it afforded, would leave the town, and those who had invested in buildings for them would be great losers. If the view of the Government was that the endowment should be left to the town, and that the operations of the Commissioners should be confined to the introduction of such reforms in the management as might be suggested, a statement to that effect would remove great apprehensions at present existing in the town. He could assure his right hon. Friend that the Commissioners would meet with no difficulty in dealing with the conducors of Bedford School.

MR. W. E. FORSTER said, it was not easy to state the interpretation which would be put on the phrases "particular class of persons," and "due regard to the educational interests of such class of persons." Indeed, an interpretation might possibly have to be placed upon the clause by a Court of Law under Clause 38. Believing a great deal of mispprehension existed as to the views of the Government, with regard to endowments such as Bedford, he stated that it was not intended to divert from a locality any endowment which was not plainly more than sufficient for the purposes of that locality. Undoubtedly, the locality, originally endowed, had the first claim; and indisputable proof of the superabundance of the endowment would have to be given to the Commissioners, Government, and Parliament, before it could be taken away. He believed it was suggested in the Report of the Commission that the Bedford endowment might be applied to the county; but he would certainly not approve that suggestion now, and he believed the county would be provided for elsewhere. That endowment in Bedford was performing a great work, not only for Bedford, but also, he might say, for the whole Empire. It was quite possible that the Governing Body might be as ready to accept the suggestions of the Commissioners as the Commissioners would be to make them. At all events, it was a great advantage that there should be in Bedford one very large endowed establishment, at which the sons of persons who, from no fault of their own, had been reduced in circumstances, might obtain a good education.

MR. J. HOWARD was glad that the right hon. Gentleman who had acted as Chairman of the Select Committee had given so satisfactory an explanation of the clause, which, coupled with other alterations adopted by the Select Committee, would go far to remove the objections that were felt against the provisions of the original Bill, both in this House and throughout the country. The Trustees of the Bedford Endowment would, he felt assured, be willing to carry out every improvement which might be suggested for rendering the schools more useful and efficient. As the Bill was originally drawn, such unlimited and arbitrary powers were conferred upon the three Commissioners, that he was not surprised at the great alarm which was felt by Trustees of schools as well as the public. The Select Committee had curbed and controlled the power of these Commissioners; and it occurred to him that the remarks of several hon. Gentlemen who had spoken in the course of the discussion appeared to be directed more against the Bill, in its original, than in its amended form. He expressed a hope that the three Commissioners would be named at an early day, believing this would allay much irritation.

Clause *agreed to.*

Clause A. 12 (Schemes to extend benefit to girls).

MR. WINTERBOTHAM: * Sir, I propose in this clause to insert after the word "girls" the words "equally with boys." The clause would then read—

> "In framing schemes under this Act provision shall be made, so far as conveniently may be, for extending to girls equally with boys the benefits of endowments."

The words I now propose to introduce were in the clause as I originally moved it in the Select Committee, and I am fully persuaded that if these words are left out the clause will be practically useless. The present state of the case is this—the whole of the educational endowments of the country, with the exception of those of the primary schools, are now monopolized by boys.. The whole of the vast endowments of the Universities and of other collegiate institutions in England, Scotland, and Ireland are of course absolutely restricted to boys. The whole of the endowments of the public schools dealt with by the Act of last Session are restricted to boys; and, substantially, the whole of the endowments covered by this Bill —the whole of the endowments, that is to say, which provide secondary education, education between that given by the primary schools and that given by the Universities—are also monopolized by boys. I say that this is substantially the case, because if I were to state to the Committee the infinitesimal proportion of the endowments which the girls do enjoy the contrast would be still more striking. Practically there is no provision whatever above the rank of the primary schools for the education of women. The endowments which are covered by this Bill amount in round numbers to between £300,000 and £400,000 a year, which wasted and abused as they have been, yet provide education for some 40,000 scholars. Now what proportion of this sum of money is devoted to the education of girls? What proportion of these scholars are girls? Out of this amount of from £300,000 to £400,000 only £3,000 are devoted to the education of girls, and of the 40,000 scholars, 39,000 are boys. This is in many cases directly in the teeth of the intention of the founders of the charities. Notably is this the case with the magnificent endowments of Christ's Hospital, the net income of which institution now annually applied to education is upwards of £50,000. Now, although it was originally founded for the education of children without distinction of sex, at the close of 1867—I have no later figures—this endownent was educating sixteen girls and 1,400 boys. I do not pretend that this is the general case. I admit that the great majority of these endowments were originally intended for boys, but then it must be remembered what is the basis upon which this Bill goes. We are using a great, though I think a wise and justifiable, freedom in setting aside or modifying the original intentions of the founders. I agree upon this point with everything that fell from my right hon. Friend the author of the Bill when he moved the second reading. He told us that the founders were the reformers of their day, and that, were they here, they would be before us and not behind us in seeking to carry out such changes as would make their endowments more useful and better adapted to attain the great end they aimed at—namely, the education and advancement of the people. I may here glance, in passing, at some of the objections which will naturally arise to my proposal. It may be said that if we take half of these endowments for girls we shall materially diminish and, perhaps, cripple the endowments for boys. Now, in the first place, if this were the fact, my claim would be no less just. In the second place, the existing interests of all persons are scrupulously guarded by the Bill. In the third place, I ask the Committee to remember that these endowments are not now used economically; they are used wastefully; and it is to be hoped that, when they are consolidated and re-distributed and generally re-constructed under the provisions of this Act, the benefits they are capable of conferring will be considerably extended. Moreover, there is a clause, Clause 29 of this Bill, under which we hope to get for educational purposes a large number of endowments which it is admitted on all hands are at present absolutely hurtful in their pauperizing effect, and remember that in many of those endowments women have shared equally with men. I refer especially to dole funds and other endowments of a similar kind. Then the question is asked—How is this scheme to be carried out? I need not enter into particulars upon the matter, but the report of the Commissioners and the evidence they have taken suggests how it may be done. In the first place, if there were day schools of a higher character than the primary schools established in the great towns, I believe they would be largely frequented by girls of the middle class; I speak especially of the shopkeeping class, a class which is now, perhaps, relatively behind others in education. And, in the second place, I am not afraid to avow the opinion that we might go much further than we do in the direction of having mixed education of boys and girls. We have it in the primary schools, where boys and girls are educated side by side, and I do not think anyone will pretend to show any inaptitude on the part of girls for being taught, or any failure in the result. It is obvious that the same building and the same teaching power in a town might very easily be made applicable to the education of girls as well as to the education of boys. This, then, I say, is a mode in which girls might take advantage of these endowments equally with boys, and I claim it on their behalf. My right hon. representative the Chancellor of the Exchequer, we know objects to all endowments for education, on the ground that free trade would provide education sufficient both in quantity and quality; and to a certain extent I agree with him as far as regards the education of boys, because a boy's education has a great and obvious money's worth. We know very well that parents are prepared to make, and do make considerable sacrifices to give their sons education. In fact, five-sixths of the sons of the middle class are not educated in endowed schools at all but in private schools. But this does not apply to girls. It pays to educate boys, but most parents think the Consols a better investment than the education of their daughters. In fact, whatever is spent on their education—I speak of the middle class—is spent grudgingly, more from deference to fashion than from any perception of its substantial usefulness. If I am over-stating the case, I know I am stating that which is true of a very large proportion of the middle class. I am certain the parents will not make the sacrifices for the education of their daughters that they do make for the education of their sons. What is the result of this? It would be unbecoming for me, if I could do it, to give the Committee a picture of the present state of the education of women; but I may refer them to the Report of the Commission of which I have already spoken, and I would call their attention not only to the Report of the Commissioners themselves, but also to the evidence of the witnesses, many of them high authorities upon all educational questions, who came before them, and to the Reports of the sub Commissioners who were sent through the country to investigate the state of education in their various districts. All these are unanimous in what they say as to the state of education of women in the middle class. They say that it is scanty in quantity; they say that it is poor and frivolous in quality; and they say it is exorbitant in price. In a word it is very bad, very dear, and—it is almost a consolation to add—there is very little of it. If this be, as it is, the case—for I shall be very much surprised if any hon. Member gets up and contradicts the statement from his own observation—then I think it calls for very grave consideration. Of course there are educated women, and there are good schools and good teachers, but these are the exceptions; and especially I ask the Committee to remember they are the exceptions in the class for whom the benefits of this Bill were intended. Now I suppose nobody will say that girls do not need education as much as boys: they start as ignorant, and they have no special means of acquiring knowledge. I cannot bear to value education in money, and consider how soon and how effectually it can be coined into it. I value education—as I suppose every educated man values it—for its own sake; for the mental wealth, for the dignity of character, for the intense yet pure enjoyments it confers. The truth is, the great curse of the life of most men, and still more of most women, is its supreme littleness. It matters not whether it be little frivolous amusements or little carking cares. From one end of society to the other a little life must be a miserable one. If then you will take the opportunity which now offers of giving the blessing of education to those whom our legal and social restrictions exclude almost entirely from active life, and who, by their enforced leisure, have rare opportunities for mental cultivation, you will enlarge and ennoble their lives and add materially to the sum of human happiness. I said that women were almost entirely shut out from active life, but the Committee knows that there is another side, and a very sad side, to that statement. There are thousands and thousands of women who are not thus shut out, but are rather thrust into the thick of it. Thousands of women are sent adrift every year to struggle for themselves and earn their bread as best they may. Take these figures from the Census of 1861. There was then a population in England and Wales of, in round numbers, 20,000,000; 10,000,000 of men and 10,000,000 of women, because God seems to make as many women as He does men, although we do not provide education for them in the same proportion. Of these 10,000,000 of women of all ages, more than 2,000,000 were engaged in industrial pursuits of various kinds other than domestic; that is, they were not domestic servants, or engaged in household pursuits. Of these 2,000,000 of women, nearly 100,000 were engaged in professions, chiefly, of course, as teachers. We all know that this state of things is going on increasingly, and that the condition of society is such that the number of women who have to support themselves increases every year. The emigration of men in greater numbers than women, the vicissitudes of fortune in this speculative age, the death or loss of health of those who supported them—these and other causes I cannot now dwell upon, are constantly driving women in larger and larger numbers to support themselves and those dependent on them. You cannot prevent that, you cannot insure women against it, but there is one thing you can do—you need not add to this the cruelty, for it is a cruelty, of sending them out in this way to fight, as they have to do, the battle of life unarmed and unprepared, because uneducated. It goes hard with poverty and weakness in that battle; they do not need to be weighted with the curse of ignorance. This is the truth, and it lies at our door unless we will remedy it. What are the consequences? The results to the sufferers themselves are sad enough. The suffering, the vice, the sorrow which flow from all this—how can I speak of these things? But it does not stop there; the evil reacts with righteous retribution upon the next generation. The ignorance of a class must reproduce itself. Where do you expect to find the teachers for the next generation of women, but among the women of this? Even of these you do not get the most educated, as a rule. Few women adopt teaching as a profession, except from necessity. Want, not capacity, is too often the chief qualification. From imperfectly educated women you can choose only imperfectly educated teachers, and from these what can you expect but imperfectly educated scholars? And in this vicious circle you must continue to move until you bring yourselves to break the circle by a wider and sounder education for women generally. But I admit, and it is the strongest part of my case, that the most natural place to look for women is at home. At the time I have spoken of, when the Census of 1861 was taken, while 2,000,000 of women were earning their bread by industrial pursuits, 3,500,000 were married, and, for the most part, heads of families. Well, what of this? Only this, that they are the mothers and teachers of the whole of the next generation. Boys and girls alike are committed to their care. Why, here is folly! We are spending infinite trouble and thought and time and millions of money upon the education of the people, and in training their teachers, yet we neglect the best and most natural teachers of all. We never can compete with them. We cannot prevent their teaching. They wait for no State certificate. They ask for no State pay. They are teaching constantly and unweariedly, with a power that nothing can match; and what you make them, that, and that only, can they make their children. It is impossible that it can be otherwise. I should like to mention one thing with regard to this. Everyone who has observed the social changes which are taking place among us must have noticed that the home in England at the present day is a matter of far greater importance than it was. We are reverting, as Mr. Darwin would say, to our original type. The fact is that in the last 100 or 150 years the household has became more and more the unit and centre of English society. Every social virtue we have has taken its rise there, and no one can look upon this change without satisfaction. But then, whether the influence of the home shall be an evil or the contrary, whether it shall retard or advance the progress of society, will depend chiefly upon the woman who is at the head of it. There is only one more point which I wish to advert to. I am sorry to detain the Committee so long, but the matter is not a trifle. It is the education of half the people. There is one subject which I cannot dwell upon fully here, but which I cannot pass over, and that is the influence of the ever-widening gulf between the education of women and men upon the religious faith and habits of the people. It has already come to this. Let us state it honestly. We do not believe, and are not expected to believe, what women do or as they do. And what is the result? That there is in our homes a thin veil of hypocrisy—I cannot use a milder word—a certain insincerity and want of perfect freedom, harmony, and confidence. I know that there are some who regard this as a good thing, and think, at any rate, faith may flourish among the women if it does not among the men. But is it wise to keep the shutters closed that the idle dancers within may not know the day has dawned? Yet this is what we are doing. If this goes on it cannot last long. How long do you suppose the present dislocation of thought upon these subjects will continue? It cannot, I believe, continue another generation. We shall see here what we see already in some foreign countries, the women sunk in abject and frivolous superstition, and the men stranded on the shore of a barren scepticism. If you dread this, if you would see a rational, manly piety flourish in this country, you must without delay educate the women. I know I have dealt with the subject very inadequately, and I wish it had fallen into better hands. There are many aspects of it which can be treated becomingly only by older men. It is pre-eminently a subject which requires an authoritative speaker, for there are no examples or precedents to which I can point. The hon. Member for Bedford (Mr. J. Howard) told us the other night, in the debate on the Patent Laws, that men had been going on grinding corn for 3,000 years without any material improvement in the method until a very recent discovery. For 3,000 years we have had civilization of every sort, creeds, philosophies, and social and political systems of every kind, and at this moment it is a matter of the purest speculation what sort of society that would be in which women should be only as well educated as men. I say it requires a statesman, and something more than a mere private Member to take up and deal with such a subject as this. I could wish that my right hon. Friend who has shown such a far-reaching insight into the wants which have called for this measure, and into the social results he intends it to accomplish, had recognized the equal importance of the education of women and men as one of the great bases of his legislation. I may mistrust, and I ought to mistrust, my own judgment; but let me say this—There are men on both sides of the House whom to know is to reverence, and before whose genius I cannot choose but bow; but when I see and cannot understand the relative importance which subjects of this kind seem to assume in their eyes, I cannot help asking myself of this statesman and that what conception he has formed of the future of this country; what ideal does he cherish of its greatness yet to be? We have ceased to look for it in military power; we cannot trust to our commercial pre-eminence. Younger and more favoured countries must sooner or later pass us in that race; there is only one way in which we can place the greatness of our country on a sure and lasting foundation, and that is by the intellectual culture and the moral elevation of the people. We are all beginning to see this. No one sees it more clearly than my right hon. Friend, and this measure is a step in that direction. But it is only half a measure. Hudibras wore but one spur, because he thought if he could make one side of his horse go, the other would not be far behind. That is what you are doing here. You think if you educate the men the women will not be far behind. But history belies your expectation, and shows that, although the men cannot take the women forward, the women may drag the men back, and indefinitely retard the progress of society. I feel that this is too great a subject to be dealt with incidentally in Committee on this Bill, yet it must be dealt with now or never; for the arrangements of the educational endowments to be made under this Bill are such as we hope will last. I leave the subject and all responsibility for it with the Committee. I have but one arrow more in my quiver, and that I am inclined to shoot at a venture, for I am very much in earnest upon this subject, and it may hit the mark. If there is any man who hears me who has known, I will not say a mother's love, for that a she-wolf will give, but the wise counsel, the thoughtful sympathy, the stimulus to every noble purpose in life which comes from that affection, when and only when it is united with the vigour of a manly sense and the exquisite refinement of a cultivated mind, the man I say that treasures such a memory should have no doubt what vote to give on my poor clause. I beg to move, after "girls," to insert "equally with boys."

Mr. W. E. FORSTER said, he was glad the question had been so eloquently introduced. Neither himself nor any member of the Select Committee would yield to his hon. Friend (Mr. Winterbotham) in the conviction—firstly, that girls' education had been greatly neglected; secondly, that they had not such a share as they ought to have of the endowments; and, thirdly, in the hope that the results of this measure would give them a better education and a larger share of the endowments. But, as a practical man, he was bound to consider how they could get this measure efficiently carried out. It would be impossible that the endowments could be given equally to boys and girls, for this reason—that a good deal of the enormous endowments we possessed were already appropriated, If they had to set to work to deal with a fresh fund, he quite agreed with his hon. Friend that they ought to divide it between girls and boys; but, at the present, the endowments were, for the most part, possessed by boys. He was very anxious that the Commissioners should consider, in the words of the clause, how far they could extend to girls the benefit of these endowments; but it would be quite impossible that they could do so equally, because that would be to deprive the boys of the education which they were already in possession of. He hoped the hon. Gentleman was not too sanguine as to a large amount of endowments being acquired under Clause 29. That clause had been considerably weakened, and was now not compulsory, but simply a clause under which endowments for certain purposes not educational might be applied to educational purposes. He was exceedingly sorry to oppose the insertion of the words proposed by his hon. Friend, because he did not wish the impression to get abroad that the Government did not feel strongly the necessity of giving education to girls. At the same time, he should be misleading everybody if he were to say that the Government were in favour of an equal division of the present endowments between boys and girls.

MR. G. GREGORY said, he thought that it had been too readily assumed that one of the principal things for which women were qualified was teaching. He would remind the House that the great business of their lives lay in the domestic circle, and in things which could not be taught in schools. He hoped that the Amendment would not be pressed.

MR. FAWCETT said, he looked upon the intellectual culture of girls as of at least equal importance with that of boys, and would support the Amendment as a declaration that, so far as all future educational endowments were concerned, the benefits should be shared equally by boys and girls.

MR. BERESFORD HOPE said, he trusted the hon. Member for Stroud (Mr. Winterbotham) would be satisfied with having raised this important discussion. If the Amendment were pressed, the House would be divided on an ambiguous issue. If arithmetical equality were intended, the Bill, instead of being a moderate and tentative measure of reform, would be as revolutionary a scheme as had ever been brought before the House. Common sense showed that, while the necessity for female education was as great as the necessity for male education, the education required for girls was less extended than that which ought to be imparted to boys.

MR. HENLEY said, he thought that if anyone wanted to "knock up" the Bill, and render it unworkable, there was no step more effectual than to insert the words proposed. If perfect equality were to be insisted on, he supposed that girls, as well as boys, must be eligible for exhibitions to the Universities. Again, how was equality to be ascertained? Were they to take an equal number of girls and of boys in a given district? It happened that there were more boys born into the world than there were girls, though somehow when they came towards middle age there were more women in the world than there were men. Then it should be borne in mind that many girls were educated at home, whereas nearly all boys received their education in schools.

MR. J. HOWARD supported the Amendment, on the ground that it asserted a principle—one he should be glad to see established—the principle that girls had as great a right to share the endowments as boys. At Bedford, there was a large girls' school, which gave a capital education to over 500 girls, at a cost of something like £500 a year.

SIR STAFFORD NORTHCOTE said, that, while concurring cordially with the hon. Member for Stroud (Mr. Winterbotham), and more particularly since hearing his speech, he would appeal to him, in the interest of the cause he had at heart, not to weaken the effect of his speech by going to a division upon an ambiguous issue. This was a matter upon which it was difficult to legislate with anything like decision, and he was afraid that, if they went to a division upon the question as now submitted, the division would convey the impression that the Committee was unfavourable to the view of his hon. Friend. It was not so much a question of equal advantages as of substantial advantages; and what they wished to impress upon the Commissioners, rather by way of direction and instruction than legislation, was that they should not be satisfied with throwing a few crumbs to the girls, but that they should really give them such a substantial proportion as would tell upon their education. In the Select Committee he proposed to introduce the words, "so as to give them as nearly as possible equal advantages with boys." It was impossible to keep out of sight the fact that a larger proportion of boys than of girls would avail themselves of schools and educational endowments, and therefore it was not a case of giving exact numerical equality; but what they wished to do was to adjust endowment, so that girls might derive advantages proportioned to their needs, and as nearly as possible equal to the advantages possessed by boys. Boys already had possession of much it would be difficult to deprive them of, and, to a certain extent, boys required more than girls. It might be that one reason why girls were educated at home was that they had not had their fair share of educational advantages. Until they had something in the shape of school education which was really worth having we must not insist upon the argument that girls did not go to school in the same proportion as boys. The inference that a great proportion of women would become teachers, and that this was a question of legislating for female teachers, must also be set aside. Of course, a large proportion of women were teachers in a different sense from that in which the term was used; they were the mothers of children, and necessarily teachers of them in their early years. He attached great weight to the argument based on the disadvantage that might arise from a great separation of feeling between men and women in matters of the highest character, to which the hon. Member for Stroud adverted, not because he would wish in any way by the education of women to deteriorate and depreciate the exceeding value of the tenderness and faithfulness of woman, but, on the contrary, because looking as he did upon woman as the sheet-anchor to a great extent, of the religious feeling of the country, he was anxious that she should have her proper influence over children, and he did not believe she would unless she had a fair share of intellectual power and education. Looking at the matter from this point of view, he thought it was of very great importance we should give our women such a fair share of education as would enable them to keep their proper place in the domestic circle and in the general business in life, so far as women are called upon to take part in it. Nobody wished that women should be educated in precisely the same way as men; but it was as important that women should be well educated in their sphere and for their circumstances, as it was important that men should be educated. The interests of society required that women should have their fair share in these endowments, which no doubt were given for the general benefit of the country. This clause was inserted in the Select Committee in order to direct the attention of the Commissioners to the point; but the Amendment which he proposed was defeated by 4 to 1, and that having been the case he would ask the hon. and learned Member, in the name of their common cause, not to run the risk of an adverse division here.

Mr. JACOB BRIGHT said, he would support the Amendment if there were a division, because he would like to establish the principle of equality with regard to the education of boys and girls. He maintained that girls were entitled to as good an education as boys were; that the measure of capacity should be the measure of instruction, and that girls had a capacity for learning equal to that of boys; and, in proof of that position, he cited the distinctions obtained by women at the Royal College of Science, Dublin, where they had taken several first prizes in competition with University graduates and others.

Mr. WHITBREAD said, he would support a Resolution to the effect that the share of endowments which had fallen to women was insufficient, and ought to be larger; but he feared that the words proposed to be inserted in the clause would lead to endless litigation and disappointment; and it was of no use putting words in an Act of Parliament unless public opinion would support them.

Mr. DILLWYN said, he believed the education of women would be better served by the clause as it stood than by the addition of the Amendment.

The SOLICITOR GENERAL said, he hoped his hon. Friend (Mr. Winterbotham) would withdraw the Amendment, and not place many hon. Members who sympathized with his object in a false position. The Committee was engaged, not in asserting a principle, but in directing certain persons. The terms of these directions should be definite, and he feared the Amendment proposed would make them confusing. As a matter of fact, the cause of the education of women was greatly advanced by the Bill as it stood; but if the Amendment were agreed to people would believe that Parliament had decreed that all endowments for educational purposes must henceforth be devoted in equal proportions to the education of either sex. He could not, upon any account, give his sanction to the mixed education of boys and girls, which might be attended with very serious consequences.

MR. WINTERBOTHAM said, that mixed education was by no means an essential feature of the scheme, the use of the same buildings and teaching power being merely an economical arrangement. He should not press his Amendment to a division.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 13 (Saving of interest of foundationer, master, governing body, &c.).

On the Motion of Mr. W. E. FORSTER, the words "or girl" were inserted in line 26.

MR. T. CHAMBERS moved in sub-section 5, line 5, after "patronage," to leave out "which has a marketable value, and is capable of being sold by him."

MR. W. E. FORSTER said the object of the clause was to make due provision for vested interests. If an interest had a marketable value, it ought to be compensated for, otherwise not.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 14 *agreed to.*

Clause 15 (Religious education in day schools).

MR. BERESFORD HOPE said, he rose to move the omission of the second part of the clause. To the first part, which enabled a parent who had a conscientious objection to the religious teaching of the school to make that objection in writing, and thus secure exemption, he had no opposition to offer. But the second part of the clause was aimed at a teacher introducing religious doctrine in the course of lessons other than religious, and his objection to it was that the Governing Body would be forced to listen to tittle-tattle on the part of the child, or somebody else, who wanted to make mischief, and nothing but confusion would be created. It was no real protection, for the *corpus* of the clause contained all that was necessary. He begged to move that the second portion of the clause be omitted.

MR. W. E. FORSTER said, that the first part of the clause related to actual lessons on religious subjects; it was only from these lessons that the master was ordered to dismiss the child, whose parent might have objected; but it was to meet the case in which a master who wished to proselytize might introduce religious teaching during the course of the secular lessons that the other part of the clause was introduced. He did not believe that practically it would lead to the evil effects which his hon. Friend feared. The object was really the protection of the schoolmaster from injudicious interference by parents. In line 11 it was stated that the complaint must be proved, and any Governing Body at all able to do its duty would not countenance frivolous complaints.

MR. MOWBRAY said, he feared the clause would work in a most objectionable way. Some meddling parents might direct a forward child to watch the lessons, and then get up a complaint to which the Governing Body would be obliged to listen.

THE SOLICITOR GENERAL said, the Committee could give relief in the case of unscrupulous teachers or of captious and disagreeable parents only by an appeal to, or by leaving the matter to the discretion of the Governing Body, as was proposed by the clause. The Governing Body would be on the spot, would know all about the matter, and might be trusted in nine cases out of ten to come to a practical conclusion.

MR. ADDERLEY said, he thought it would be better to omit the second paragraph. It was a subject of congratulation to secure the Conscience Clause for endowed schools, and it would be a pity to mix it up, as was done by this paragraph, with a new principle, of a different, inconsistent, and most objectionable kind.

MR. ACLAND said, he must support the clause as it stood. It was unfair that parents should have no remedy but the withdrawal of their children from the school, if a master persisted in conveying dogmatic teaching in his secular lessons. The true object of a Conscience Clause was to give freedom on both sides, and all that was intended by this clause was to give the Governing Body the power, upon an appeal, to prevent any abuse on the part of the teacher.

Mr. WALTER said, he did not think this clause was altogether so free from difficulty as his hon. Friend the Member for North Devon (Mr. Acland) seemed to imagine. The object of the clause was simply as straightforward as possible. An energetic, strongly-opinionated schoolmaster might take advantage of his position to inculcate in secular lessons particular religious tenets, although by the first part of the clause he would be debarred from doing so in religious lessons. The parents of the children certainly had a right to be protected against this, and the conclusion he had arrived at was that the question should be left to the decision of the Governing Body. Take the case of a Protestant school, in which English History would be a branch of the secular instruction. Nobody could maintain that the history of the Reformation could be taught without any reference being made between Protestantism and Roman Catholicism. It would be obviously impossible to lay down a rule that in teaching the history of the Reformation a schoolmaster should abstain from all religious comment. The subject was one which ought to be left to the judgment of the Governing Body, which must be supposed to possess common sense. For these reasons he was in favour of the clause as it stood.

Mr. BAINES said, he considered it but right that there should be some protection against over-zealous school-masters, and therefore he should vote for maintaining the latter part of the clause.

Mr. Alderman LUSK said, he hoped the second part of the clause would be maintained.

Mr. HENLEY said, he wished to point out that, under the clause, a schoolmaster might render himself liable to censure if, in the course of teaching, he told a child that thieving was contrary to the commandment of God, as it might happen that the child's parents held atheistical opinions. Much of the difficulty by which the subject was surrounded might, he believed, be obviated if, for "if the complaint be proved," the words "if the complaint be reasonable" were substituted.

Mr. W. E. FORSTER said, he would act on the suggestion of the right hon. Gentleman. Hitherto Conscience Clauses had been regarded as somewhat vague and indefinite, because they laid down no rule as to religious teaching being conveyed in lessons on secular subjects; the result was that a conscientious schoolmaster might be placed in an embarrassing position, and it was with a view to prevent this in the future that the present clause had been framed.

Mr. BERESFORD HOPE said, he was satisfied with his right hon. Friend's (Mr. W. E. Forster's) statement, and would withdraw his Amendment.

Mr. BAINES said, he would suggest that the words to be substituted should be "if the complaint is judged to be reasonable."

Mr. HENLEY *moved* to insert "judged to be reasonable," instead of "proved."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses 16 to 18, inclusive, *agreed to.*

Clause 19 (Schools excepted from provision as to religion).

Mr. CANDLISH *moved* an Amendment, to substitute twenty-five for fifty years as the time during which a testator's directions with reference to denominational instruction should not be contravened.

Mr. MIALL supported the Amendment. They ought to fall in with the spirit of the times, which was to limit the area of denominationalism in our educational institutions as much as possible.

Mr. W. E. FORSTER said, that part of the clause dealt with by the Amendment had been inserted to meet the case of a founder having given an endowment without having completed the statutes during his lifetime; and the provision was inserted at the unanimous wish of the Committee.

Amendment *negatived.*

Mr. GOLDNEY said, he rose to move the insertion of words requiring that any school the students in which had been instructed in the tenets of any particular creed for two hundred years should continue to be conducted as a school of that creed. The Amendment had special reference to Christ's Hospital. The funds of Christ's Hospital consisted entirely of the donations of private benefactors, who had made their bequests on the distinct understanding that the school would continue to be a Church of England boarding school. He begged to move after "instructed" to add "or any educational endowment by or under which the scholars have for an unbroken period of two hundred years been taught or instructed."

Mr. W. E. FORSTER said, he was sorry he could not accept the Amendment; it would run counter to a very great deal of the evidence produced before the Committee, and establish that all King Edward's schools must be considered as denominational Church schools. Several of the Governing Body of Christ's Hospital were Dissenters; to this no objection had been raised, nor did he anticipate any would be raised in the future.

Mr. GOLDNEY said, that Christ's Hospital enjoyed none of King Edward's gifts; its funds consisted entirely of endowments by private persons, though it was willing to receive within its walls persons of all religious denominations. In the Act sent forth by Lord Chancellor Cranworth there was a special clause excepting Christ's Hospital on the very ground that he had just mentioned. Dissenting and Roman Catholic schools had been placed in possession of their revenues in consideration of their special character, and certainly Christ's Hospital ought not to stand in any less advantageous position. If the Government resisted his Amendment he would divide the House.

Mr. KINNAIRD said, that although not desirous of making Christ's Hospital a purely Church of England school, he believed, as one of the Governing Body, that people had given the endowments on the understanding that it was to be a Church of England School, and he thought it would be unjust by Act of Parliament to undo the intentions of those benefactors.

Mr. BRUCE said, his hon. Friend (Mr. Kinnaird) who generally took a liberal view of these matters, was mistaken in supposing that this school would lose its Church of England character, for though security would be given to parents who entertained conscientious objection to the teaching of the Church of England, the denominational character of the school would be preserved.

Mr. ACLAND said, he hoped the hon. Member would not press the Amendment. He most fully appreciated the absence of party spirit with which this matter had been met by hon. Gentlemen opposite; but for that it would have been quite impossible for his right hon. Friend to have advanced to the point which he had reached. But were the Committee prepared to narrow the operation of the King Edward schools by declaring them to be denominational schools?

Mr. M'LAREN said, that if the clause passed as it stood it would not alter Christ's Hospital, but if altered, it might cause a governor of the hospital to be a party to coercing a relation to attend a form of worship of which he himself disapproved.

Mr. J. HOWARD opposed the Amendment on the ground that it went beyond the scope of the Bill. The effect of it would be that many schools not now recognized as Church or denominational schools, would become so by Act of Parliament. He thought it undesirable to increase the numbers of denominational schools. Christianity tended to deepen and intensify human sympathies — denominationalism tended to narrow and cramp the sympathies of our nature. On these grounds he strongly objected to the Amendment.

Mr. HINDE PALMER said, he believed the clause was one that would work most advantageously.

Mr. HENLEY said, he thought that the clause carried out the existing law so long as the endowments were single. But he wished to ask what would be the action of the Bill when half-a-dozen endowments were put together, some of them with express words as to the religion to be taught in the schools, some without such words.

Mr. W. E. FORSTER said, what he understood the question of the right hon. Gentleman to be was, whether, when one of two or more small endowments, which might be consolidated under Clause 9, was defined to be denominational, such endowment would, notwithstanding such consolidation, still come under this clause. He understood that it would, and that there could be no doubt about it.

Mr. HENLEY said, he was glad to hear it. He hoped, however, the right hon. Gentleman would take the opinion of the Law Officers upon it, and, if necessary, make it clear on the Report.

Mr. W. E. FORSTER said, he would take care to do so.

Amendment, by leave, *withdrawn.*

Mr. LOCKE said, that Tunbridge School was not in the position of Christ's Hospital, because it was distinctly a Church of England school. But it was proposed to place the day scholars in a different position from the boarders. If, therefore, a number of persons objected that their children should go to prayers or submit to religious instruction, that would break in on the rules and regulations of the school. It would practically exclude such subjects of teaching as the Greek New Testament. If denominational schools were to be retained the House must allow them to be carried on according to the rules laid down by the founder. The greatest inconvenience and confusion would arise unless the words were omitted—

"Other than the provisions for the exemption of day scholars from attending prayer or religious worship, or lessons on religious subject, when such exemption has been claimed on their behalf."

The hon. and learned Member moved that in line 16 these words be omitted accordingly.

Mr. ACLAND said, he hoped his hon. and learned Friend would not press his Amendment. The Tunbridge Grammar School would one day be an enormously wealthy institution, and it was surely not to be contended that the children of Dissenters should be excluded from it as day scholars.

Mr. LOCKE said, that no inconvenience had ever arisen at this school with regard to boys of different religions.

Mr. W. E. FORSTER said, that the clause was necessary in order to establish a Conscience Clause for the protection of day scholars attending denominational schools. The matter had been well considered by the Committee.

Mr. GILPIN said, that the principle laid down in the clause was carried out in the City of London School, one of the best schools in the country, and no ill-feeling or inconvenience had arisen. He trusted the Government would stand by the clause.

Amendment *negatived.*

Clause *agreed to.*

Mr. W. E. Forster

Clauses 20 to 28, inclusive, *agreed to.*

Clause 29 (Application to education of non-educational charities).

Mr. J. LOWTHER said, he must take exemption to non-educational charities being introduced into a Bill in which they had no proper place, and to their being diverted from their original purposes at the discretion of the Governing Body. He would therefore move the omission of the greater part of the clause, excepting only the last paragraph which prohibited the inclosure of open spaces.

Mr. SCOURFIELD said that some of these doles were gifts of food, and people must be fed before they could be educated.

Mr. W. E. FORSTER said, that the clause as it stood originally was much stronger; it permitted the Commissioners, on the authority of a certificate from the Charity Commissioners, to apply non-educational endowments to be used for educational purposes, but the clause as amended required the consent of the managers of such non-educational endowments before they could be taken by the Commissioners. The Amendment had met with much approval and disapproval. Not only did those interested in education disapprove the change, but those also who had looked forward to this opportunity of getting rid of charities which worked with bad effect. It was, however, feared, that without further inquiry, public opinion would not support the original proposition; while on the other hand, the Government felt much good would be done if all those cases were dealt with under the Bill in which the managers of a charity were convinced that evil consequences resulted from the administration of the funds they controlled; he especially referred to the granting of doles. He was willing to introduce a limitation ensuring that regard should be had to the application of the funds to the class for whom it was originally intended.

Mr. GOLDNEY said, he interpreted the clause as giving power to the trustees of charities to carry out a deed of arrangement without going to the Court of Chancery.

Mr. COLLINS said, that there was not much likelihood that trustees would wish to divert the endowments, so that practically it would not much matter. As a case in point, he might mention that a tradesman of Knaresborough had left him £4,000. [*Laughter.*] He said left him, because, as the property was in land it had to be left absolutely to his cousin and himself to avoid the statutes of mortmain, but it was intended for the aged poor. He had not yet thought it worth while to frame a scheme, because the fund was chargeable with an annuity to the old gentleman's housekeeper; but he was sure if the testator had thought there was any danger of the interest of the funds not being shared by those whom he intended, he would have preferred that his almoner put them in his pocket.

MR. CAWLEY said, he objected to the clause, on the ground that it still went too far. It would be better to reserve these matters for special legislation.

MR. MOWBRAY said, he hoped the hon. Member for York (Mr. J. Lowther) would not press his Amendment. Most Members on his side were inclined to support the clause as it stood.

MR. HENLEY said, the clause was hardly fair in such a Bill as this, for it did not deal with endowed schools, but was neither more nor less than an attempt to grab at every small charity in the country, and apply it by a very summary process to educational purposes. He agreed with the hon. Member for Salford (Mr. Cawley) that they ought to reserve this subject for special legislation. He hoped the right hon. Gentleman (Mr. W. E. Forster) would consent to strike out the clause.

MR. ALDERMAN W. LAWRENCE said, he did not agree with the right hon. Gentleman (Mr. Henley) that this was a clause to enable the Commissioners to grasp at endowments to which they had no right; it was a clause to enable the Governing Body of a charity, the funds of which they were not able to distribute beneficially, to use those funds, if they thought fit, for educational purposes. Not very long since a large sum of money which had been originally left for the liberation of slaves from Barbary had accumulated in the hands of one of the livery companies. They applied to the Charity Commissioners, and at length an Act of Parliament was obtained to enable them to distribute the money among various schools. It would not be in the power of the Commissioners to take any portion of the funds unless with the consent of the Governing Body. The clause had been fully approved by the Committee upstairs.

MR. W. E. FORSTER said, he believed that great disappointment would be felt throughout the country if the clause did not pass. He regretted that it had not been found possible to make it compulsory. As it stood it was a compromise, and it was felt by a majority of the Select Committee to be the only arrangement that could be come to in the present position of affairs. The powers of the Charity Commissioners with regard to these new educational endowments would not be altered by the Bill.

MR. ACLAND said, that in some towns there were enormous funds applied to purposes of the grossest corruption, and the question was how to get legislative power to deal with these cases. The only way was to import the Governing Body into the matter. Not seeing his way to a higher body, he should feel bound to support the conclusion of the Select Committee.

MR. MUNDELLA said, he had intended to move the substitution of the Charity Commissioners for the Governing Bodies of these charities, but after the explanation of the Vice President of the Council he should accept the clause. He regretted, however, that more had not been done in regard to these wretched and demoralizing doles. He had received a letter from the vicar of a parish in Lincolnshire, stating that in his own and a neighbouring parish these charities amounted to £800 a year, only £30 of which was applied to purposes of education. When the distribution was made it was followed by a week of intemperance and debauch. There were not less than 200 of these doles, and where they prevented one pauper they made three. He rather regretted that the Governing Bodies had been imported into the clause, and thought that some steps should be taken to inquire into these smaller charities.

MR. HIBBERT said, he could not agree in casting imputations on the Governing Bodies of these charities, because he believed they endeavoured to the best of their ability to carry out the intentions of their founders. He thought that where the funds of these charities had largely increased they might be applied to educational purposes. He was the trustee of a charity for giving marriage portions and fees on apprenticeship. The income had greatly increased, and the trustees had applied to the Court of Chancery and obtained permission to apply a portion of the funds to educational purposes. The result had been most beneficial to the parish. This clause would only carry out what the Governing Body now had the power to do by applying to the Court of Chancery.

MR. FIELDEN said, he doubted whether they were not encouraging the trustees of these charities to give up and violate their trusts. The doles might be badly managed, and he thought there ought to be an Inquiry by a Select Committee, when the House could deal with these charities as it thought fit. It did not, however, follow that, because they were badly managed, the funds ought to be given for educational purposes. He trusted that the Amendment would be pressed to a division.

MR. ADDERLEY said, there were a great number of cases in which these doles tended to demoralize those who received them, and where the diversion of the funds to educational purposes would raise the neighbourhood in morals and intelligence. The Commissioners under this Bill would be Charity Commissioners for educational purposes.

MR. WALTER said, that the only fault he was disposed to find with the clause was that it limited the discretionary power of the Commissioners in regard to the Governing Bodies. It did not however follow, because great mischief was done by these doles, that education was the only object to which the funds could be beneficially applied. These doles for the most part originated in the kindly feeling or interest entertained by benevolent persons towards the poor inhabitants of the parishes in which they lived; but in the progress of time it was discovered, by persons who had inquired into the subject, that doles, instead of promoting the welfare and happiness of a community, usually produced a contrary effect, and tended more than anything else towards the pauperism and demoralization of the parishes in which they were established. In carrying out the doctrine referred to by his hon. Friend it appeared to him that it would be more convenient if, in parishes where sufficient educational provision already existed, the doles, instead of being diverted to the general educational purposes of the country at large, were appropriated to other benevolent purposes within those parishes. Take, for example, the case of a parish in which there were doles to the amount of several hundreds of pounds a year, and suppose that there already existed in it ample provision for its educational requirements. Would it not be worth while to consider whether in such a case the doles might not be more appropriately given to the county hospital or to some institution likely to benefit directly the parish from which the doles were taken, instead of being lavished upon schools and other educational establishments in which the inhabitants of the parish had no interest whatever? He had raised this question before the Select Committee, but they thought themselves incompetent to deal with it. It was, however, in his judgment well worth while for hon. Members to consider whether these doles might not be more fitly applied to the wants of the particular parishes from which they were withdrawn than to increasing the general educational resources of the country.

MR. W. E. FORSTER said, the argument of his hon. Friend the Member for Berkshire (Mr. Walter) formed another reason which rather induced him to accede to the proposed change, for he was inclined to believe that there were objects, other than educational ones, to which these charities might be applied. At the same time he must point out that this was a matter beyond the scope of the present Bill.

MR. BERESFORD HOPE said, he trusted his hon. Friend the Member for York would not think it necessary to divide the Committee. He was of opinion that means might be devised to carry out the wise proposal of his hon. Friend the Member for Berkshire. If there were a division on the present Amendment it would not be a true test of the feelings of hon. Members. For his own part, he should deem himself in honour bound to support the decision of the Select Committee, and to vote for the original clause.

MR. STEPHEN CAVE also appealed to the hon. Member for York to withdraw his Amendment. He agreed in what had been stated of the mischievous character of many of these doles. They had been called aids to the poor rate, but in reality they increased it, by fostering pauperism. He knew a parish in the South of England, rich in these charities, the poor rates of which were double those in the surrounding parishes. At the same time it was a question of degree, and he agreed with the hon. Member for North Devon that care ought to be taken lest the application of these bequests to educational purposes merely saved the pockets of those who ought to support the means of education. He believed that the useful objects adverted to by the hon. Member for Berkshire might be attained by agreement between the Charity Commissioners and the Governing Bodies under the law as it now stood.

MR. BRUCE said, he had originally felt sorry that the words "with the consent of the Governing Body," had been introduced into the clause; but he was convinced that it was necessary to do so, as the clause would otherwise have been so vague that general charities, such as the Literary Fund, might have been brought within its operation.

MR. J. LOWTHER intimated his intention of withdrawing the Amendment.

MR. HENLEY said, he wished, before the Amendment was withdrawn, to ask the right hon. Gentleman the Vice President of the Council, whether he did not think it right that some provision should be introduced that the parties interested should have an opportunity of being heard?

MR. W. E. FORSTER said, he would promise to take the right hon. Gentleman's suggestion into consideration. He might remark, however, that under Clause 32, the Commissioners would be obliged to publish and circulate their scheme in a manner which would give information to all parties interested.

MR. J. LOWTHER said, he would withdraw his Amendment.

MR. PARKER said, he proposed to add to the objects of non-educational charities enumerated in the clause to be applied to educational purposes, loans, apprenticeship fees, and advancement in life. He moved in page 9, line 38, after "debt," to insert "loans, apprenticeship fees, and advancement in life." The words were in the Bill as it originally stood, and he thought there could be no objection to them now that the consent of the Governing Body was required.

MR. A. PEEL said, in support of the Amendment he might state that in the borough of Warwick there was a fund called Sir Thomas White's charity, which was established for the purpose of assisting young tradesmen starting in business. £7,000 was now out on loan from the charity, but there was a surplus of £20,000 which no one knew how to deal with, and it was at present absolutely useless. The Charity Commissioners had approved of a scheme for applying the fund for the purposes of education; but it had not been carried out, nor would it be unless those words were inserted in the Bill.

MR. GREAVES said, he wished to add to what had been stated by his hon. Colleague (Mr. Peel), that there were also large accumulations upon funds established to provide apprenticeship fees, for which there was not the same demand as formerly. As Sir Thomas White was the founder of Merchant Taylors' School and other educational institutions, it could hardly be a contravention of his wishes to devote these surplus funds to education.

MR. W. E. FORSTER said, he saw no objection to the re-insertion of the words, now that the assent of the Governing Body was to be required for any appropriation.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 30 *agreed to.*

Clause 31 (Preparation of draft scheme).

SIR HENRY SELWIN-IBBETSON said, that in cases where the endowments amounted to less than £2,000 a year, a scheme for altering the administration of the charity was to be prepared by the Charity Commissioners, really without the parties concerned having any voice in the matter. He moved in line 36, to omit the word "two," and insert the word "one."

MR. W. E. FORSTER said, the Amendment would bring in a great many schools whose managers would be greatly perplexed if they were asked to suggest new schemes. Clause 33 gave power to the Governing Body to suggest an alternative scheme after they had received the proposal of the Commissioners, and he assured the hon. Baronet (Sir Henry Selwin-Ibbetson) that the whole of the 3,000 schools not empowered to take the initiative would have as much deference paid to their recommendations as if they were entitled to frame schemes in the first instance. The hon. Baronet might have in his mind a particular school, no doubt of much importance, at Brentwood, which would be excluded by this clause; but the line must be drawn somewhere, and the Select Committee had chosen this as the proper point.

Sir HENRY SELWIN-IBBETSON said, that the 33rd clause did not give power of appeal, but the explanation of the right hon. Member induced him to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. DIXON moved an addition to the clause, to the effect that in cases where the endowment exceeded £10,000 a year the Town Council of the borough in which such endowment existed should have the like power of submitting a scheme as the Governing Body. There was a report that the Governing Body of the Birmingham Endowed School had no intention to present a scheme at all, and the object of the Amendment was to guard against such a contingency.

Mr. W. E. FORSTER said, the Birmingham School was the only one to which the proviso would apply. He thought his hon. Friend (Mr. Dixon) would see that the 33rd clause would adequately meet this object. The Town Council of Birmingham was an important body, and his hon. Friend need not be under any apprehension that the Commissioners would refuse to listen to suggestions offered by it.

Amendment, by leave, *withdrawn.*

Clause, as amended, *ordered* to stand part of the Bill.

Clauses 32 to 34, inclusive, *agreed to.*

Clause 35 (Framing of scheme).

Sir HENRY SELWIN-IBBETSON proposed an Amendment, the object of which was to enable an alternative scheme to go before the Committee of Council together with the scheme of the Commissioners.

Mr. W. E. FORSTER said, that the question had been much considered in Committee, and he could only repeat that any school which really wished it would be able to bring their representations before the Government.

Mr. BERESFORD HOPE said, he hoped that the right hon. Gentleman would consider before the Report whether there might not be formed another exceptional class of important schools like Uppingham, but having only small endowments.

Mr. W. E. FORSTER said, that if the hon. Member would waive the Amendment, he would talk the matter over with him, and see whether the suggestion could be adopted.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Mr. W. E. Forster

Clause 36 (Approval of Committee of Council on Education).

Mr. GOLDNEY *moved*, in page 12, line 16 at end, to add—

"Provided, That where the Committee of Council on Education have not approved any scheme relating to an endowment, the Governing Body of which may under this Act prepare and submit a draft of a scheme before the Commissioners prepare a draft of a scheme, such Governing Body may, within three months after notice of such non-approval (if within one month thereafter they give written notice of their intention to the Commissioners), submit to the Commissioners an amended scheme; and the Commissioners shall consider the same before they frame and submit another scheme relating to the same endowment, and such amended scheme of the Governing Body, if approved by the Commissioners, shall be adopted and proceeded with by them as if it were a scheme originally framed by themselves."

Mr. W. E. FORSTER said, that if the proviso would make the large endowments work better with the Commissioners he should be glad to adopt it.

Proviso *agreed to.*

Clause, as amended, *ordered* to stand part of the Bill.

Clause 37 *agreed to.*

Clause 38 (Appeal to Queen in Council).

Mr. G. GREGORY moved to omit in the fourth section the words "if the Governing Body are the petitioners."

Mr. W. E. FORSTER said, that the matter was well discussed by the Select Committee, and decided by a majority of 14 to 2.

Mr. HENLEY said, he feared that the clause as it stood would not let in those persons from whom a charity had been entirely removed.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 39 and 40 *agreed to.*

Clause 41 (Exception as to schemes for endowment under £100).

Mr. HENLEY said, he wished the right hon. Gentleman would consent to strike out this clause from the Bill, so that the schemes in regard to the smaller charities might be laid before Parliament like the rest. The Commissioners would then be armed with stronger powers—the Act would work a great deal better.

Mr. COLLINS said, he agreed with the right hon. Member for Oxfordshire (Mr. Henley).

Mr. ACLAND said, he thought the effect of the clause would merely be to give facilities for the conduct of business, by removing the necessity for going through tedious formalities in the case of endowments under £100. Particular cases might, of course, be brought under the notice of Parliament by hon. Members who took especial interest under them.

MR. WALTER said, he was of opinion that, under any circumstances, it would be desirable to have accurate information as to how all these charities were dealt with. Whether the schemes should be laid before Parliament or made known in some other manner might, perhaps, be a subject for discussion; but there could be no doubt that the public was entitled to ask for full and trustworthy information as to each scheme that was proposed.

MR. W. E. FORSTER said, the clause was inserted after great consideration, and with the belief that it would be an act of kindness to the small endowments to simplify the proceedings. Still the suggestion of the hon. Member for Berkshire (Mr. Walter) deserved consideration, and he should be glad before the bringing up of the Report to frame some provision which might be satisfactory to his hon. Friend.

MR. BERESFORD HOPE said, that this clause had not been so carefully considered by the Select Committee as most of the other provisions of the Bill. The exception ought, in his opinion, to apply only to endowments of £40 or £50, the proposed figure being far too high.

MR. COLLINS said, his object was to have the scheme laid before Parliament and not before the Queen in Council.

SIR STAFFORD NORTHCOTE said, he could see no good reason why these schemes should not be laid before Parliament. There would be no waste either of time or money in doing so, and some power ought to be given to persons interested in the charities to challenge the mode in which the endowments were to be applied.

MR. W. E. FORSTER said, he should be glad of an opportunity of conferring with some of his Colleagues and the draftsman of the Bill respecting the point raised by his hon. Friend the Member for Berkshire (Mr. Walter) as to giving publicity to the conduct and management of the endowments. He thought the subject might be put off till the Report.

SIR HENRY SELWIN-IBBETSON said, he was strongly in favour of the schemes for these schools being laid before Parliament; but he thought the object might be attained by omitting the two lines requiring them to be laid before Her Majesty in Council.

MR. HUNT said, he hoped the right hon. Gentleman the Vice President of the Council would agree to the Amendment. It involved a matter not of detail but of principle. Why should not these schemes be laid before Parliament as well as inclosure and drainage schemes?

MR. CANDLISH said, he was strongly of opinion that the schemes relating to small endowments ought to be laid before Parliament. This would give confidence and satisfaction to those interested.

MR. NEWDEGATE said, justice could not be done unless the Government and the House adopted some definite scheme, by which the cases of these charities in groups should be submitted to the House in sufficient numbers and involving property of sufficient amount to render it worth the while of the House to attend to the question. It was a vicious thing to create indefinite patronage, by destroying a legal right and substituting a claim to be satisfied or refused at the discretion of the Government of the day. He hoped that, after dealing with these charities as they might think fit, the Government would eventually provide for the restitution of legal action in place of patronage.

MR. W. E. FORSTER said, if the cases were gone into it would be found that this proposition was no kindness to the smaller schools and towns. He hoped an impression would not go abroad that there was any desire to ride roughshod over any of these endowments. The Government would accept the suggestion which had been made, and consent to omit from the clause the words "such scheme may be approved by Her Majesty in Council without being laid before Parliament." He did not wish, however, to preclude himself from proposing a lower limit than £100 on the Report.

MR. HENLEY said, he thought that the suggestion of his hon. Friend near him (Mr. Newdegate) that they should follow the precedent adopted in Inclosure Acts, and include the charities in question as Schedules in Acts of Parliament was worthy of consideration. Cases would occur now and then which required to be looked into.

Words *struck out.*

Clause *agreed to.*

Remaining clauses *agreed to.*

Bill *reported;* as amended, to be considered upon *Thursday*, and to be *printed.* [Bill 163.]

GAME LAWS—(SCOTLAND.)

NOMINATION OF COMMITTEE.

Order read for resuming Adjourned Debate on Question [11th May], "That the Select Committee on Game Laws (Scotland) do consist of Eighteen Members:—(*Mr. Loch*):—Amendment proposed, to leave out from the words "That the," to the end of the Question, in order to add the words "Order for the appointment of the said Committee be discharged,"—(*Sir James Elphinstone*),—instead thereof:—Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. CRAUFURD said, he wished to know when the adjourned debate was to come on? Her Majesty's Government had allowed the matter to be shelved on account of an Amendment moved from the other side. He wanted to know whether Her Majesty's Government were prepared to take the matter in hand?

Mr. BRUCE said, the question was too keenly contested to be satisfactorily dealt with this Session. On the part of the Government he would undertake to consider the question with a view, if possible, to bring forward a Bill on the subject next Session.

Sir JAMES ELPHINSTONE said, he wished to know whether the question was finished? He begged to move that the Order be discharged.

Mr. CRAUFURD said, he hoped that the Order would be allowed to continue on the Paper until Her Majesty's Government should be able to give some definite pledge respecting it.

Mr. LOCH said, the promise of the Government was so vague that there could be no confidence in it. His own feeling was to press for the nomination of the Committee.

Mr. COLLINS said, he would appeal to the hon. Gentleman (Mr. Loch) to allow the Order to be discharged.

Mr. BOUVERIE said, he thought the hon. Member might rely on the promise of his right hon, Friend the Secretary of State for the Home Department.

Mr. LOCH said, he would consent to the Order being discharged.

Order *discharged.*

PARLIAMENT—DUBLIN CITY WRIT.

MOTION FOR NEW WRIT.

Mr. NOEL said, he rose to move for a new Writ for a burgess to serve in Parliament in the room of Sir Arthur Guinness, unseated on petition.

Motion made, and Question proposed,

"That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Ireland, to make out a new Writ for the electing of a Citizen to serve in this present Parliament for the City of Dublin, in the room of Sir Arthur Guinness, baronet, whose Election has been determined to be void."—(*Mr. Noel.*)

Sir GEORGE GREY said, he rose to move, as an Amendment, to leave out the words after the word "that," in order to add "leave be given to bring in a Bill for disfranchising the freemen of the City of Dublin." He proposed to take that course in accordance with the opinion which he had ventured to express in the discussion on the Motion for an Address to the Crown for the issue of a Commission under the Act of 1852, to inquire into the extensive bribery which was alleged to exist. On that occasion he stated that he felt considerable doubt whether the peculiar terms in which the learned Judge had reported in the Dublin inquiry brought the case within the provisions of the Act of 1852, and he only voted for the Motion in consequence of the strong opinion expressed by the hon. and learned Attorney General for England that it was right for the House to address the Crown, although there were some doubts as to the terms of the Report. He then said that, having received the Report of the learned Judge who tried the Petition, the House ought not to issue a Writ for the City of Dublin until it, in some way or other, had vindicated its own authority and taken some means for purifying the constituency of Dublin of that portion of it among which the learned Judge had reported that extensive bribery prevailed. The House of Lords, as they knew, had declined to concur in the Address, and, consequently, no Commission under the Act of 1852 could now issue. After the opinion which he had expressed he had no right, nor did he think anyone else had, to complain of the course taken by the House of Lords. Noble and learned Lords of very great authority stated that, in their opinion, there was much doubt as to the case falling within the terms of the Act, and that if the Commission did issue its authority might have been disputed. Under these circumstances the case came again before the House of Commons; they had the Report of the learned Judge on the table, and it was for them to say what course they were to take. The hon. Member who moved the Writ (Mr. Noel) seemed to think that the House should leave the Report unheeded, and allow the freemen of Dublin an opportunity of again committing these corrupt practices, in which case they might go on for ever, so long as the general constituency was not tainted. That House and Parliament, however, had, in passing the Act of 1852, not divested itself of the power of dealing with a case of this kind, and they would exhibit themselves in a discreditable light to the country if they were to declare that because the case did not fall within the Act of 1852 they were powerless in the matter. Mr. Justice Keogh reported that eleven freemen, who were named, had received bribes, and that there was evidence that between twenty and thirty, whose names he could not give, had also received bribes; that over 200 freemen had signed a colourable agreement to serve Sir Arthur Guinness gratuitously, and that a considerable number of them had afterwards applied for payment. He also added that corrupt practices had not generally prevailed amongst the constituency apart from the freemen. It was creditable to the general constituency of Dublin that they were free from the taint attaching to the freemen, among whom there was no doubt that extensive bribery prevailed. The late Government in passing the Act which transferred the jurisdiction in election cases from Committees of that House to Judges of the Superior Courts, took credit for an earnest desire to provide an effectual check to bribery, and to facilitate its punishment, and therefore, he observed with some surprise, that the hon. Member for Rutlandshire (Mr. Noel), who was connected with the party opposite, had moved the Writ in this case, for his doing so seemed to imply an opinion that this corruption should go on unpunished. The Amendment he now moved had nothing to do with the question whether freemen generally should retain their franchise, but only applied to the freemen of Dublin, among whom the Judge reported that extensive bribery prevailed. The House had a precedent exactly in point, for, in 1848, an Election Committee reported that gross and systematic bribery prevailed among the freemen at Great Yarmouth, and the House, in consequence, passed a Bill for disfranchising those freemen, only the faintest opposition being made to the measure in either House of Parliament. In the present case, though the same words were not used, it was not to be supposed that gross and systematic bribery had not prevailed among the freemen of Dublin. The freemen voters in Dublin were about 2,700, in a constituency of about 13,000. Many of them—he had been told at least two-thirds—had other qualifications for the franchise, and he proposed merely to disfranchise the freemen as such, leaving those who were registered in respect of other qualifications—and many of whom he believed to be highly respectable—to exercise the franchise. He proposed also to introduce provisions into the Bill to enable those who had other qualifications, but for which they were not registered, to have their names placed on the registry with as little delay as possible. He therefore moved as an Amendment to the Motion for the issue of the Writ that leave be given to bring in a Bill to disfranchise the freemen of the City of Dublin.

MR. O'REILLY seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "leave be given to bring in a Bill for disfranchising the Freemen of the City of Dublin,"—(*Sir George Grey,*)

—instead thereof.

MR. HUNT said, he hoped that the House would approach this subject with something of a judicial spirit, and that no party spirit would enter into the debate. *Primâ facie* the right hon. Baronet

(Sir George Grey) had made out a plausible case for the Amendment; but he thought, on closer examination, the House would come to the conclusion that it was not right to refuse to issue the Writ—not right either to Dublin at large or to the freemen in particular. It was a serious matter to leave the capital of Ireland, with its 250,000 inhabitants, halting, as it were, on one foot, with only half of its representation. Such a step could not be taken at any time except on strong grounds. But an issue most momentous to Ireland had just been submitted to the other House of Parliament. The Bill might be sent back to this House, and then most important conditions might arise, and it was especially important that on an occasion like this Dublin should, if necessary, be allowed to express its opinions in the fullest manner. From Judge Keogh's Report it was clear that by adopting the Amendment the House would be punishing the multitude who were innocent for the very few who were guilty. But would the House not also be stultifying itself? This House had lately agreed to address the Crown, asking for inquiry into the corruption which was alleged to exist among the freemen, but the purport of the Amendment was that the House should proceed to disfranchise the freemen without any inquiry at all. Surely the House would see that, because the other House of Parliament had declined to address the Crown, it was not right to jump to a conclusion as though there had been inquiry and corruption had been proved. The right hon. Baronet had quoted a precedent, and he also would refer to several precedents. In the case of Sudbury a Committee reported that corruption was proved to have existed, but the House was not satisfied—a Commission was issued, and it was only upon the Report of the Commision, declaring that bribery extensively prevailed, that Sudbury was disfranchised. So in the case of St. Albans, a Commission reported that bribery had long prevailed there, and on that Report the borough was disfranchised. Then there was the case of Galway, where a Commission was issued, and reported that corruption prevailed amongst the freemen. A Bill was introduced for disfranchising the borough, but it was argued there that you were punishing the innocent along with the guilty, and the Bill was withdrawn. At first sight the precedent of Great Yarmouth seemed to be on all fours with this case, but really a considerable distinction existed between the two cases. There the Committee reported not that "they had reason to believe" that bribery prevailed, but positively that gross, systematic, and extensive bribery prevailed among the freemen, and that no Writ should issue until an Act had passed for disfranchising the freemen. Here the Judge did not report in any such positive way. The Act of Parliament presented him with an alternative mode of reporting. The Judge was required to report whether corrupt practices had, or whether there was reason to believe that they had, extensively prevailed at the election. Of course, the one phrase was much stronger than the other, and Parliament must have had some reason for drawing this distinction. Judge Keogh chose the weaker phrase, and said he had reason to believe that corrupt practices had prevailed among the freemen. This showed a feeling that the evidence was not such that he could report in a positive way, and it pointed to the necessity of further inquiry before any step was taken to disfranchise these voters. Now the whole number of freemen was 2,700, and on examining the Judge's Report it appeared that there were but eleven persons reported by name as having been bribed, and from ten to fourteen others judicated as having been bribed by promises of employment. In all, only fifty-five persons were proved to have been bribed. The freemen of Dublin were not, as in other places, poor persons who were likely to be bribed. Nearly 1,700 of them were described as persons quite above the possibility of their being bribed, including twenty-six admirals, generals, colonels, majors, privy councillors, and members of noble families; twenty-three fellows and students of Trinity College; forty-five clergymen, sixty-five medical men, together with barristers, stock brokers, gentlemen, esquires, booksellers, and engravers. It would, perhaps, be said that some of these persons had other qualifications, but they had not put themselves on the register for those other qualifications, because it was much less trouble to register as freemen. He had, he thought, said enough to make the House pause before they assented to the Amendment of the right hon. Baronet. The late Government had evinced every disposition to put down corruption, and had proved it by their acts. The House, in seeking to punish corruption, should not allow itself to be led into an act of injustice by disfranchising a large body of electors, in consequence of the conduct of a few individuals, and by deferring the election of a representative for so important a constituency as Dublin at this momentous period. He hoped, therefore, that the House would assent to the Motion of his hon. Friend (Mr. Noel) for the issuing of the Writ.

MR. H. JAMES concurred with the right hon. Gentleman the Member for Northamptonshire (Mr. Hunt) when he appealed to the House to view this question in a judicial light, and free from any party considerations. There were three interests involved in this question —the first was the interest of the public, the next that of the constituency of Dublin, and the third was the interest of the freemen themselves. It appeared to him that in common justice to all three the Writ should not issue. Hitherto the laws they had passed against corruption had become a dead letter; and although at the last election they were able to threaten the new constituencies with Pains and Penalties if they broke the law, their threats would be treated with ridicule if they neglected to punish the offenders in the present instance. He was willing to give the late Government full credit for their exertions to put down corrupt practices; but if they did not go farther to effect this object it was futile to say that the decisions of the new tribunals had done anything towards remedying this evil. They had been told in "another place" that it would be wrong to issue a Commission. He said that they would be doing a great hurt and injury to the country by allowing this Writ to issue. Although it might be a matter of importance that the metropolis of Ireland should not be deprived, even for a few months, of representation in that House, it was of still greater importance that the Member for Dublin should be the representative of a pure and not of a corrupt constituency. As to the freemen, it might be a hard case for those who had voted purely, but hard cases made good laws. It was better that those few should be sacrificed than that the House should proclaim to every constituency that such doings should not be punished. The freemen would, he hoped, have the opportunity before the Bill passed of defending themselves, and proving, if they could, that extensive bribery had not prevailed among them at the last election. It was because he most earnestly desired to stay the course of those corrupt practices, which caused every man to look with terror at the next General Election, that he had ventured to express himself as he had done.

MR. H. MATTHEWS said, that every one on that side was as desirous as hon. Gentlemen opposite of having a pure constituency, but they all agreed that in providing a remedy they ought not to proceed hastily or on insufficient grounds. The right hon. Baronet (Sir George Grey) had forgotten the course of legislation on the subject. Since the Act of 1852 there had been two precedents which the right hon. Baronet had not referred to — Galway and Canterbury. In the case of Canterbury, it was urged that to disfranchise those whose evidence had proved the existence of bribery and their own participation in corrupt practices was a breach of faith, and the argument was felt to be irresistible. In the case of Galway, it was proposed, as the right hon. Baronet the Member for Morpeth now proposed, that the whole body should be disfranchised; but this plan of confounding the innocent with the guilty was felt to be even a still greater breach of faith. The provisions which formerly gave an immunity from all consequences to witnesses giving evidence of their own corruption had, however, been repealed by the Act of 1863, as far as political indemnity was concerned, and there was not the slightest difficulty now in disfranchising the particular offenders, instead of visiting their errors and shortcomings upon the class to which they belonged. The hon. Member had proposed this Amendment because the provisions of the Act of 1852 had not been complied with. This was going back to an old and unwise principle. The idea of there being any community between the few corrupt voters of this particular class and the vast majority who were politically pure was absurd, and it was at once impolitic and unjust to visit on the many the sins of the few. Although he felt that they all had an interest in keeping elections pure, they ought not to deal with a case like the one under debate by means of the extreme machinery of Pains and Penalties.

Mr. W. H. GREGORY said, that what the hon. and learned Gentleman (Mr. Matthews) had just said was quite opposed to his own experience of Dublin, and he had had a great deal of experience of it. In the year 1842 he stood for that city and was defeated. At the close of that election a Bill was put into his hands, and he was charged £4,500 for bribing 1,500 freemen; and this, too, without his having the slightest knowledge of what had been done. The bill was presented with as much coolness and cynicism as if it had related to the purchase of so many herrings. When he again stood for Dublin, he refused to give 1*d.* towards the bribing of these freemen, and the consequence was that the latter all voted for the other side. He hoped the Reformed Parliament, to show that they were in earnest in putting down corruption, would give their hearty support to the hon. Baronet the Member for Morpeth (Sir George Grey).

Mr. VANCE said, that the hon. Member for Galway (Mr. W. H. Gregory) had lost his seat for Dublin not through the corruption of the freemen, but because he had changed his political principles. He himself was first returned for Dublin in 1852; he was returned for it again in 1857, when a petition was presented against him. The right hon. Gentleman the Member for Newcastle (Mr. Headlam), and the hon. Member for the Tower Hamlets (Mr. Ayrton), were on the Committee which tried that petition, and he appealed to them whether there was any bribery proved against the freemen. The Committee, the majority of the members serving on it being Liberals, found that he had been duly elected. He was returned for Dublin again in 1859, and he did not hesitate to say that in those three elections for Dublin £50 had not been spent which could not be accounted for to the satisfaction of the most rigid auditor. He believed that the Judge, whose Report had been quoted, would not have said what he did had he supposed, when making his Report, that an attempt would be made to disfranchise the freemen without further inquiry.

Mr. O'REILLY quoted a passage from the judgment of Mr. Justice Keogh, in which the learned Judge made some rather severe comments on "young Mr. Vance," who had interested himself for Sir Arthur Guinness."

Mr. VANCE explained that the gentleman so alluded to by the learned Judge was no relative of his, and that he had not even the honour of being acquainted with "young Mr. Vance."

Mr. COLLINS said, that the course proposed by the right hon. Baronet the Member for Morpeth (Sir George Grey) was without precedent. If it was the one that ought to be followed in these cases, why had Commissions been thought necessary in the cases of Bridgwater, Cashel, and other boroughs? If ever there was a case for legislation without further inquiry it was that of Youghal, where £40 per elector had been spent; but no proceedings had been taken in consequence of that enormous expenditure, and even the publication of the evidence had been refused.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 169; Noes 215: Majority 46.

Question proposed, "That those words be there added."

Colonel STUART KNOX asked whether it was possible that the House meant to disfranchise the metropolis of Ireland in order to please a private Member. The Government Benches were full, but not one Member of the Government had risen, he supposed owing to weariness. He therefore moved that this House do now adjourn.

Captain DAMER seconded the Motion.

Mr. GLADSTONE said, he hoped that his rising would remove the only reason which the hon. and gallant Member had given for his Motion. The Government had been silent because they were entirely satisfied with the arguments of his right hon. Friend (Sir George Grey).

Sir GEORGE GREY said, he had no wish to disfranchise the metropolis of Ireland. He desired that the Bill might be passed as quickly as possible, in order that the Writ might be issued.

Viscount GALWAY said, that the silence of the Government seemed to him very like an old Whig job; they could not make the Motion themselves, but they got an old Whig to do it. The right hon. Gentleman the Member for Morpeth had said that if the freemen of that borough were guilty of corrupt practices he should equally wish to see them disfranchised. But the right hon. Gentleman well knew that he was quite safe there; the freemen of Morpeth dare not give him any such opportunity.

MR. WHITBREAD said, the character of his right hon. Friend the Member for Morpeth stood too high to need any defence. But the Conservative party would do well to show a bold front against corruption.

MR. SCLATER-BOOTH said, he had no wish to shield men guilty of corrupt practices; those who were guilty he hoped would be disfranchised; but the right hon. Gentleman well knew that the Dublin freemen, all of whom he proposed to disfranchise, were, as a class, most respectable gentlemen, and his opponents in politics.

Motion made, and Question put, "That this House do now adjourn."—(*Colonel Knox.*)

The House *divided*:—Ayes 76; Noes 178: Majority 102.

Question again proposed, "That those words be there added."

MR. GREENE moved that the debate be now adjourned. Anyone one who had heard the debate would think that those who sat on the other side of the House had the patent right for purity; but he asked whether just as many on their side of the House had not been guilty of bribery as had been guilty on his side of the House? Was Dublin to be deprived of its representative because fifty-five men out of 2,000 had been guilty of bribery? He was glad that this discussion had arisen, because it exposed the hollowness of Liberal purity.

MR. GLADSTONE said that the time had now arrived when the majority must yield to the minority. He hoped that on another evening milder councils would prevail.

Motion *agreed to*.

Debate *adjourned* till *Thursday*.

House adjourned at half after Two o'clock.

HOUSE OF LORDS,

Tuesday, 15th June, 1869.

MINUTES.]—PUBLIC BILLS—*First Reading*—Exchequer Bonds (£2,300,000)*; Titles of Religious Congregations Act Extension* (130); Public Parks (Ireland)* (131); Sea Fisheries Act (1868) Supplemental* (132).

Second Reading—Irish Church (109), *debate adjourned.*

Third Reading—Recorders Deputies* (105); Customs and Inland Revenue Duties* (111); Election Commissioners (Expenses)* (121), and *passed.*

MR. BRIGHT'S LETTER.

LORD CAIRNS: I beg to give notice that on Thursday next, before the Orders of the Day, I shall ask Her Majesty's Government whether a letter, which has appeared in the public journals of to-day, bearing the signature of the right hon. Gentleman the President of the Board of Trade, is a genuine letter, and whether Her Majesty's Government are prepared to endorse the sentiments contained in it?

IRISH CHURCH BILL—(No. 109.)

(*The Earl Granville.*)

SECOND READING.

DEBATE RESUMED. [SECOND NIGHT.]

The Order of the Day for resuming the Debate on the Amendment to the Motion for the Second Reading—which Amendment was to leave out ("now") and insert ("this day three months")—(*The Earl of Harrowby*)—read.

Debate *resumed* accordingly.

EARL GREY: My Lords, before addressing myself to the remarks which I have to make on the question before the House, I may, perhaps, be permitted to apologize to the noble Lord behind me (Lord Lytton) for standing, as I am about to do for a short time, between him and the House. I am quite aware how much more worth his observations will be than mine; but by way of explanation I beg to say that I rose to move the adjournment last night, not knowing that he was about to do the same, and that being, as I believe, in possession of the House, I gave way because I understood that he was going to speak on that occasion. As this was not his intention, I hope there is no want of courtesy in my now availing myself of my claim to priority from having risen first to move the adjournment last night. I trust the noble Lord will accept this explanation.

My Lords, I was much surprised last night that my noble Friend (the Earl of Harrowby), who moved the rejection of this Bill, did not inform your Lordships what he anticipated would be the practical consequences of such a step. The noble Earl is a person of very great political experience, and of very great judgment and ability. He must be aware, that considering the circumstances in which this Bill was brought into the other House of Parliament and passed by it, he is, by asking us at once to reject this measure, inviting us to embark in an arduous and perilous contest with that House. My Lords, I think that, in asking you to take the first step in such a contest it was not unreasonable to expect that my noble Friend would have informed us what are the grounds upon which he believes that we can come out of that contest, with success, or at all events, without damage to our position and to the interests of the nation. But I heard very little indeed upon that point. I heard from my noble Friend a good deal about the Coronation Oath, and the arguments against taking away corporate property; but, strange to say, after dwelling at length upon these two points, he himself admitted that he considered the arguments in support of both these objections to the Bill to be unsound. But unsound as he considered them to be, he seemed to think, on grounds which I am unable to comprehend, that we ought to attach at least some weight to them. I also heard my noble Friend quote some very remarkable passages from certain speeches of eminent men, whose names carry great weight with them, giving their opinions with respect to the Irish Establishment. But my noble Friend forgot that these opinions were expressed in very different times from those in which we live, and that they were expressed in respect to a different state of society to that which now prevails, and do not, therefore, bear on the question now before us. I also heard various other things from my noble Friend to which it is not now necessary to advert—but I repeat that I in vain listened for that which was above all things necessary for my noble Friend's conclusions—namely, some argument to show that the rejection of this Bill would be of real advantage to the Church of which he has made himself the advocate, to the nation, or to this House. Now, I shall endeavour to address myself to this question which my noble Friend has passed by, and to state, as shortly as I can, what, in my opinion, would be the practical consequences of the course which he has asked us to take. But before doing so I must advert to one particular passage in the speech of my noble Friend, which seemed to imply that to vote for this Bill is not consistent with having voted against the Suspensory Bill of last year. Now, as I myself had the honour of moving the rejection of that Bill, I hope your Lordships will permit me to pause for a few moments in order to explain why, in my opinion, there is no inconsistency between the course which I took last year, and the course which I propose to take this year. It must, I fear, have appeared somewhat presumptuous in me to take upon myself to propose the rejection of the Bill of last year, and to refuse to surrender this task even to the noble and learned Lord who then sat on the Woolsack; but I did so, as I ventured to inform your Lordships at the time, for the express purpose of depriving that vote as far as possible of having even the appearance of being a vote in favour of maintaining the Church of Ireland upon its present footing. I objected to the Bill of last year upon various grounds, the chief of which were—that it was unjust to the Church to pass such a measure and destroy its existing organization before any new organization was created for it; that it would have placed this House in an unfavourable position for the future discussion of a permanent arrangement; and that it was fit that we should by our vote upon that Bill, express our disapproval of the manner in which the question had been brought before Parliament. I think the result has proved that upon these grounds it was right for the House to reject the Bill of last year. We have now a Bill before us for making a permanent settlement, and I believe that a very large number of your Lordships will agree with me in the opinion that it is a Bill which, if it is to pass, will require very material amendment. Now, I ask your Lordships whether, if we had passed the Suspensory Bill of last year, we should to-night stand in the same favourable position we now do for discussing these Amendments with the other House of Parliament, if it should differ from us as to the propriety of adopting them? Do we not stand in a much better position for discussing the provisions of this measure than we should do if a law were in force by which, in the event of the failure of the Bill from a disagreement with respect to its provisions between the two Houses, the Irish Church would be allowed to die by degrees from the absence of any legal power of filling up vacancies as they occur. I ask your Lordships, too, whether the events of the last twelve months do not amply justify the vote of last year as one implying condemnation of the manner in which this question was brought before Parliament? Let me ask you to compare the state of Ireland before the famous Resolutions of last Session against the Irish Church were moved in the House of Commons and its present state. You all, I am sure, remember a very remarkable debate in the early part of last Session in the other House on a Motion of Mr. Maguire as to the state of Ireland. In the course of that debate Lord Mayo, then Chief Secretary for Ireland, gave an account of the existing condition of Ireland. His description certainly was in many respects highly satisfactory. He told the House that every violent outbreak of Fenianism had been put down; that the authority of the law had been effectually enforced; that agrarian outrages had, for a considerable period, been becoming more and more rare; that both trade and agriculture were prospering; that the farmers were doing well, paying their rents easily and willingly, while the wages of labour had risen, and the constancy of employment was far beyond what it had been in former years. That description was supported by many striking papers which he quoted, and it was not in the main contested by the other side. What was still more remarkable was that there were strong symptoms, during the whole course of that debate, that the spirit of religious animosity that has so long been the bane of Ireland was at that time comparatively quiescent. There were decided symptoms that even upon this burning question of the Irish Church there was something like a disposition in men's minds to listen to proposals for some arrangement; that, on the one side, a sense of the impossibility of maintaining things as they were was beginning to dawn; and that, on the other side, expectations of extreme and violent changes had not yet been created. Such was the state of affairs in March, 1868. Compare it with that which now exists. We all know that agrarian outrages have broken out with a violence which has been long unknown; that the spirit of insubordination, of disrespect for lawful authority, was never so rampant as now; and above all, and worst of all, it is but too clear that the spirit of religious animosity which divides Roman Catholics and Protestants has been inflamed and exasperated to the highest degree. Every account which we receive from Ireland shows the exceeding bitterness which prevails on both sides; and shows also —what to my mind is a matter of deep import and one affording great cause for sorrow—that the great body of Protestants in Ireland, Presbyterians, as well as Episcopalians, who have always been foremost in intelligence, in industry, in activity, and in attachment to the Crown and to the Constitution—that those men, who are our great hope for the future progress and improvement of Ireland, are now stung by a deep sense of the wrong which, as they believe, is about to be inflicted on them by the British Government and the British Parliament. Their passions have been excited to the utmost, and every Irish newspaper brings an account of some great meeting at which those feelings are expressed with the most intense vehemence. This is a state of things deeply to be deplored, but at which I own I cannot be surprised after the course which has been taken. It seems to me the natural consequence which might have been expected beforehand of the manner in which this subject was last year brought forward. No impartial man, as it seems to me, looking calmly at the matter, can fail to come to the conclusion that, however great may have been the success of the move that was made last year by those who brought forward the Suspensory Bill, however great may have been its success in advancing party interests, it has been most calamitous for the higher interests of the nation. But the evil has been done, and we cannot undo it. It only remains for us now to consider whether, in the actual state of things, it is likely to be better for the great interests involved that we should reject this Bill or accept it. Now, in considering that question, let me remind your Lordships that by assenting to the second reading we do not pledge ourselves to take it as it stands. I hope and trust that you will agree to the second reading; but I equally hope and trust that, before it leaves this House, it will receive many essential Amendments. All we are now called upon to decide by agreeing to the second reading is this—that we are not prepared to insist that the Irish Church shall be maintained in its present position as a State Church, superior to the other Churches which exist in that country; that we will not insist upon maintaining a state of things which, rightly or wrongly, a very large proportion of the people of Ireland regard as degrading to them and as a badge of inferiority. That, and that only is the question to be decided. I will not follow my noble Friend who moved the rejection of the Bill into a discussion whether it is right or wrong to make a great change in the Established Church in Ireland. It seems to me that that question has been debated to satiety. I have myself during the last thirty-five years so often expressed an opinion upon it in both Houses of Parliament that I have nothing further to say, except this—that I am now, as I was then, firmly convinced that to maintain the Church of a small minority in exclusive possession of a rich endowment as a State Church, is contrary alike to good policy and to justice. I forbear, I say, from debating that question, because I venture to submit that even whether my opinion be right or wrong, the future maintenance of the Church as it stands is no longer possible. Everybody knows that no nation can be governed in opposition to its own deliberate opinion, and I hold that the deliberate opinion of this country on the question of the Irish Church was so decidedly given by the late General Election, that it is impossible to reverse it. My noble Friend (the Earl of Harrowby), I bebelieve, does not himself deny that it is impossible for either House of Parliament to resist public opinion; but he says it must be the permanent opinion of the nation, and he is not satisfied as yet that the permanent opinion of the British nation has been declared in favour of such a change as is proposed. Now this is only the old story which we have heard so often, and on so many questions—that there is, or is just going to be, a great reaction. I cannot but doubt whether those who insist most upon this alleged reaction seriously believe in it; but, if they do, will your Lordships allow me very shortly to recall to your minds what has been the history of this great question? It is now just thirty-five years since it was first mooted in the House of Commons. It was then brought forward merely by seeking to obtain information as to the relative numbers of Protestants and Roman Catholics in Ireland; but even that attempt so opened the question that it led to the breaking up of the then Administration. In the next year (1835) for the first time it was distinctly proposed to make a very small part of the property of the Irish Church available for the general benefit of the people by what was called the Appropriation Clause in the Tithe Bill. During the three or four following years the Irish Church was the principal topic of debate in the other House. My noble Friend behind me (the Earl of Derby) and myself, on opposite sides, took an active part in those debates. Now, at that time, the opinion in favour of making even so small a deduction as was then asked for from the property of the Established Church was exceedingly feeble, and was held by very few persons. It was so feeble, indeed, and was held by so few persons, that those who wished for larger measures, like my noble Friend at the table (Earl Russell) and myself were obliged to content ourselves with proposing a very small measure indeed—a measure commonly known, as I have mentioned, by the name of the Appropriation Clause—namely, a clause introduced into the Irish Tithe Bill for giving any surplus property of the Irish Church to purposes not ecclesiastical. Even for that measure, which would have been perfectly paltry and insignificant—except that it was meant and was taken as a mark of a conciliatory disposition to the great body of the Irish people, and in that sense was a measure of great importance—even for that measure, reduced so low as this to secure support, we had in the House of Commons only a small and, I have no hesitation in saying, a reluctant majority; and the great difficulty which we had in defending the proposal—I speak, of course, only for myself, and of the difficulty which weighed on my own mind—was, that the arguments by which we had to support it necessarily led to a much larger conclusion than that which we asked for. This was a fact which I did not for a moment seek to hide—which, indeed, I proclaimed as openly as it was then possible for me to do, and which was quite obvious to all. Small, however, as that measure was, and feebly as it was supported, it was sent up, if I remember rightly, three or four times to your Lordships' House, and on each occasion rejected; and the Government of that day, finding that the support it received even in the House of Commons and out-of-doors was so weak and feeble that it was impossible for them to persevere, abandoned the intention of making this small concession to the great body of the people of Ireland. The victory remained with my noble Friend (the Earl of Derby) and those who acted with him; but it was a victory which I ventured to foretell at the time would prove disastrous to the cause which they supported. That small and timely concession might, in all human probability, have averted the crisis to which we have now come; and I call upon your Lordships to remember this, because it is pregnant with instruction for the occasion now before us. After that, the subject of the Irish Church for many years was not seriously brought forward in either House of Parliament with the view to a change by any considerable party. It was mooted from time to time by various persons, and among others I myself raised it in the House of Commons in 1842, in this House in 1846, and again in 1866, without obtaining any result whatever. It remained practically in abeyance for a long time. The experience of what had happened between 1834 and 1838 had created a notion that the people of England and Scotland were deeply averse from any great change with reference to the Irish Church, and this belief was so prevalent among the leaders of all parties that they shrank from proposing any substantial measure on the subject. But in the meantime a great change of opinion was silently making its way. Discussions went on in the Press, and occasionally Petitions were presented to Parliament, while of the young men who came forward into active life a larger and larger portion was found to be impressed with the belief that things could not remain as they were with respect to the Church of Ireland; and every foreign writer of eminence, whether European or American—whether belonging to Catholic France or Protestant Prussia—with one voice declared that the maintenance of the Church of a small minority as an exclusive and wealthy State Church was contrary to all principles of justice. This opinion, put forth at first only by a small minority, but a minority including some of the most distinguished thinkers of the day—such men as Sydney Smith, Dr. Arnold, and many others who might be named — this opinion of the necessity of a change of policy, with regard to the Irish Church, gradually made its way through the whole body of the nation; and when at last the opinion of the nation was tested it was found that the notion that England and Scotland were hostile to the change was an utter delusion, and those who wished to maintain the Church as it stands were left in a miserable minority. Now, I submit that when an opinion has been thus slowly and gradually formed, and when at length it sets in a given direction with such strength and steadiness of current as that which is now running in favour of a change with regard to the Irish Church, such a tide of opinion will no more run backward than a river will run back from the sea. The opinions of mankind are progressive, and an opinion thus formed I say, will not be altered. What, then, becomes of this pretended re-action? Such a notion must be utterly dispelled from the minds of all rational men who will calmly consider what has been the course of events; and if so—if the verdict pronounced by the nation at the last General Election is really final, if it is the deliberate sense of the nation—surely your Lordships must agree that it is not a prudent course for us to take to set ourselves in opposition to the nation by rejecting this Bill. What will be the consequence of such a course? My noble Friend (the Earl of Harrowby), I suppose, does not for one moment believe that by throwing out this Bill he will get rid of it. It will undoubtedly come back again before us in a short time — possibly in a very short time. When it so comes back to us we shall have again to consider whether we shall accept it or reject it. Possibly my noble Friend and the House will be in favour of again rejecting it; but what will happen then? Will the House of Commons—will the British nation—submit to see its deliberate opinion thus withstood? Is it not clear that a permanent difference of opinion between the two Houses will bring the whole machine of Government to a standstill, and that it cannot go on till, in some mode or other—it is not for me to anticipate how—your fruitless resistance to this measure will be overcome? In that case what shall we have gained? My noble Friend says we shall have gained delay—a little time—so that the nation may consider better whether it had made up its mind on the subject or not. Well, if there was any doubt upon that question, that might appear plausible; but there is none. I am, of course, not talking of the particular provisions of the Bill, for on those, I believe, the opinion of the nation has not been expressed; but as to the necessity of some considerable change, the deliberate opinion of the country has, I am persuaded, been finally made up and declared. Thus, for the sake of a few short weeks' delay in the passing of this Bill—for the sake of a very chimerical hope of reaction—you will have incurred all the certain evils which must attend its rejection by this House, and I ask your Lordships to consider what those evils may be. In the first place, you will have a continuance of the exasperation and excitement which now exist both in England and in Ireland. You will have a continuance of those meetings and demonstrations which tend to excite the people of Ireland almost to madness, and which will make it more than ever difficult for them, after the measure has been passed, to subside into that state of calmness and mutual forbearance without which no true peace can be enjoyed in Ireland. That is the first consequence. Then, what will be the consequence with respect to this House? If we defer to the obvious feelings of the nation at this moment, we may do so without dishonour. We shall be only doing what the majority of the House of Commons did in 1838. Just as they then deferred to public opinion—which was against an inroad upon the property of the Irish Church—so your Lordships would now defer to a far more strongly marked, and a far more decided opinion of the nation in favour of a change. You will incur no dishonour if you accept it now; but if you reject it, and if it comes back to us enforced by some strong measure—it is not for me to say of what kind, but we are certain that in some manner or other some strong measures would be adopted in order to enforce our compliance with the will of the nation—if we then yield to compulsion, not to our better judgment, it is quite clear that the respect felt for this House by the nation will be seriously impaired, and its moral power will be, if not destroyed, greatly diminished. Mark, too, the importance of that consequence with reference to the possibility of amending this Bill. I listened last night with the greatest admiration to the speech of the most rev. Primate (the Archbishop of Canterbury) — a speech which was equally remarkable for the force of its reasoning, the clearness of its logic, and its temperate and truly Christian tone, which was so worthy of the high station which he fills. He pointed out, in a manner which must have made a deep impression on your Lordships, the very great objections there are to many of the provisions of the Bill, and he also showed that it was capable of amendment. For my own part, I have no doubt it is so capable. I have no doubt there are Amendments, which it is in your Lordships' power to introduce, which would render it, upon the whole, a not unfair settlement of this great question — Amendments which would have the effect of putting an end to the invidious position of the Irish Church as a State Church having superiority over other Churches with more numerous adherents, and which, while relieving it of the odium arising from that position, would, at the same time, secure it such a decent and moderate provision as would enable it in its altered circumstances, aided by those exertions which we are entitled to expect from its members, to continue to afford instruction in the Protestant religion to those who now receive it at its hands. And let me point out to your Lordships how vitally important it is that we should succeed in making Amendments of this description. It is too true — as was stated by several noble Lords last night, and I do not hesitate to adopt the argument—that to deprive the Protestant Establishment of some decent provision would go very far towards extinguishing

Protestant religion in many parts of the country. I am told that it is a libel upon the Church to hold that opinion; but after what we heard last night from the most rev. Primate of the unfortunate circumstances in which it would be placed, I can hardly regard it in that light. What would be the effect of throwing these Churches entirely on their own resources? In the opinion of those best acquainted with Ireland, the undoubted effect of a measure of this kind would be to render it impossible for the Presbyterian and Episcopalian Churches to provide the public ministrations of religion for the scattered Protestants in a great part of Ireland. In what situation, then, would those Protestants find themselves? They would either have to allow their children to grow up without public instruction in any religion, or else allow them to receive that instruction from the Roman Catholic priests—thus forfeiting that Protestant faith which, in common with most of your Lordships, they hold so dear and value so much—or thirdly, they would be compelled to emigrate. Can your Lordships doubt that, practically, the effect would be to drive a very large proportion of the most valuable part of the Irish population from the shores of Ireland? In all human probability that would be the consequence, and I can conceive few greater misfortunes for Ireland or for the Empire. To carry Amendments, therefore, which will avert this result will be an advantage of a most important kind. And is there anything in the present state of affairs to lead to the presumption that to carry such Amendments is impossible? My noble Friend (Earl Granville), in answer to a question which was not formally put by a noble Lord on this side of the House (Lord Bateman), used language upon this subject which I really think was all that we could fairly expect from him. He professed a readiness to receive with all courtesy and fairness every Amendment that might be suggested in this House. I have no doubt he would do so; but, at the same time, I tell him frankly that I do not expect him to consent to Amendments as large as I should deem desirable. I am aware of the difficulty in which he stands, and I think, in all probability, he will not think it his duty to agree to Amendments such as I should desire; but is there not at least a fair probability that, though Her Majesty's Government may object to such Amendments, a majority of your Lorpships may support them? If the most rev. Primate should bring forward Amendments conceived in the spirit of those which he shadowed out last night—Amendments which would be moderate in temper and would not infringe what I take to be the main principle of the Bill—that of putting an end to the system of giving extensive advantages to the Church of a small minority—is there any reason why your Lordships should reject them; and if you accept them is there any reason why they should not eventually become law? We may be told, I know, that the other House of Parliament will not assent to any Amendments of that kind. I think, however, we have no right to act upon such an assumption. I think it is highly probable that Amendments might be carried in this House which the Government may disapprove, and which they may think it would have been far better not to adopt, but that they may yet deem it their duty to advise the House of Commons to accept them. They will surely feel it to be their duty, as much as it is ours, by all fair means to avert the great misfortune of a permanent difference of opinion between the two Houses, and of a crisis to which such a difference would lead. I believe, in spite of some unfortunate symptoms which have appeared to-day, that they will feel it to be their duty to endeavour to avert evils of that kind, and will not be disposed arrogantly to insist on the absolute submission of those who differ from them to every particular of the Bill. I cannot believe that they can wish to force on a quarrel between the two Houses, with all the consequences to which it would lead. Now, my Lords, if we really do succeed in arranging this matter, if we can carry Amendments which will make the Bill, not perhaps such a settlement as we should all desire, but still a settlement which may fairly be acquiesced in, and in which all parties will find that they have gained much if they have given up something—if we finally become the means of so settling this great question, shall we not, I ask your Lordships, have improved the position of this House with the country as much as we should otherwise have lowered and degraded it? As the most rev. Primate most justly remarked last night, we shall indeed have given the people of England new cause to say—"Thank God we have a House of Lords." Our chance of amending this Bill, bear in mind, entirely rests upon our now accepting it. Now is the time. If we go into Committee now and consider the details with the authority of this House unimpaired, with its character still high in the country, I believe Her Majesty's Government—I believe the House of Commons—will not be hasty in raising a difference between us; whereas if we now reject the Bill, and if it comes before us again, after we have been compelled, in the eyes of all men, to recede from a position unwisely taken, the case will be entirely different. We shall then have men's minds excited against us. The House of Commons and the nation will both be irritated by what they will regard as our ill-considered and perverse resistance to the plainly expressed wishes of the nation; and Amendments which at this moment there would be a fair chance of getting ultimately accepted by both Houses will not then be entertained for a moment. Even should it be the wish of the Government in another year, or another Session, to consent to Amendments which will be then proposed even on a smaller scale than might now be carried, the Government itself will be powerless to accede to them. That is precisely what happened in 1831, as my noble and learned Friend (Lord Romilly) reminded you last night, when the Reform Bill was thrown out by this House. In October, 1831, the Government of that day—as I can testify from personal knowledge—were strongly disposed to accept any reasonable compromise for the sake of peace and of averting all those evils which they foresaw from a struggle between the two Houses; but, unfortunately, this House was ill-advised enough to reject the Bill; and when a new Bill came before you in the next year—my noble Friend (Earl Russell) will bear me out in saying so—the Government no longer had the power, even if they had the wish, to agree to any important Amendments. [Earl RUSSELL: Hear, hear!] That is a lesson which surely ought not to be lost on men of sense. I call upon you not to repeat that mistake. This is an opportunity, and the only opportunity you will have, of endeavouring to bring out of a measure—which I agree with most of your Lordships in regarding as an extreme and ill-considered one as it stands—a rational and fair settlement of the question. It is possible, indeed, that I may be too sanguine, and that there may not be so good a prospect as I anticipate of our succeeding in carrying a good settlement of the question through both Houses; it is possible that the Amendments which we may think it necessary to carry and to adhere to may not be accepted by the other House, and that the Bill may consequently fail. We must be prepared for such a course. I submit to your Lordships that in that event the worst that can happen is the loss of the Bill, and the loss of the Bill under circumstances infinitely more advantageous to your Lordships than if you rejected it on the second reading. In the latter case it would seem that this House had refused to listen to the will of the nation—had refused to listen to any compromise on the subject—and was determined to maintain the Irish Church in all the enormity of its present position, to refuse all concession, and to maintain it as it stands. On the other hand, if we accept the Bill at its present stage and the House of Commons will not consent to the Amendments which we think it necessary to make, the question will assume a very different aspect. The Bill will then have been lost not because your Lordships are unreasonable, but because the House of Commons insists that we shall not only correct a grievance which really exists, but that we shall go further, and inflict upon 1,500,000 of the population of Ireland that which they regard as a mortal injury; that we shall insult and injure them, and refuse to consent to anything short of utterly depriving the Protestants of Ireland of the means of continuing their religion. If that is the issue on which we go to the country, I, for one, do not despair of the result. Of one thing I am perfectly certain—that if that is the mode in which the question is raised we shall have a far better chance of obtaining in our favour the verdict of that public opinion which must ultimately be the arbiter upon this question than we shall have if we take it upon ourselves to reject the Bill upon the second reading. It is now very nearly twenty-four years since I first had the honour of a seat in your Lordships' House, and in that long time it has been called upon to pronounce no decision which, in my opinion, was to be compared in importance to that which you are now asked to give by your vote on this Bill. The question you are now about to decide involves not merely the present peace of the country, but the authority which your Lordships' House shall exercise in the future. I firmly believe that the rejection of this Bill at this stage would be nothing short of a public calamity, and I therefore most earnestly implore every one of your Lordships not to be induced to concur in its rejection, either by any pressure of party or personal considerations; that you will in this case consider the higher duty you owe to the nation; and, I would venture to add, weigh the heavy responsibility which will rest upon all those who are parties to the rejection of this Bill—a responsibility which will rest not only upon those who actively concur by their votes in throwing it out, but in a minor but still no inconsiderable degree upon those who contribute to the same result by altogether abstaining from using their legitimate power by voting in favour of the principle of this Bill.

THE ARCHBISHOP OF DUBLIN: My Lords, having only at a somewhat late period assisted at your debates, and having myself taken no share, or the very slightest share, in them, I would, had I consulted my own inclination on this occasion, have left the discussion of this question to abler and more practised hands. But there are times when we may not keep silence—when it is not permitted us to consult our inclinations—when it becomes us to throw aside any reluctance we may feel; and I address myself to your Lordships the less unwillingly, being sure that I shall find from your Lordships any indulgence I may need. My Lords, in the conciliating and courteous speech with which the noble Earl (Earl Granville) opened the debate last night he had a courteous speech for everybody within the House, and some for those who, I believe, were not properly within it; but, my Lords, if there was a hard, a strong, a rebuking word in the speech of the noble Earl, otherwise so gracious and so conciliatory, it was reserved for the Prelates of the Irish Church. The rebuke, indeed, was one to which we had been already subjected. It will probably be within the memory of some noble Lords here present that it was brought, in the opening speech of the First Minister of the Crown, as a sort of charge against us that we had held ourselves aloof, with one exception, and had not come forward to put ourselves in communication with the framers of this Bill. I must confess that since I have known the character of the Bill—since I have learnt that the principle of it is that everything shall be taken away from us that can be taken away, few things have filled me with more surprise than that we should ever have been invited, have received any encouragement or solicitation to do that for which we are thus reprimanded for not having done. I can imagine the garrison of a hard-pressed city invited to consider the terms of surrender, and to strive what of their lives and their possessions might be saved by timely capitulation; but an invitation to assist at a conference by which they were to be put to the sword appears to me a superfluous mockery. When the right hon. Gentleman thus reprimanded us he did not in the slightest degree insinuate or imply that if we had entered into any such communications we should have, in the slightest degree, modified the course the measure would have taken. It is now as plain as day—the principle of the Bill being what over and over again it has been affirmed to be—that we should and could have gained nothing, while we must have lost much by any such step as that for the declining to take which we have thus been found fault with. We should have lost much; discredited ourselves with those on whose affection and confidence we shall have most need to rely, whose entire confidence we must have if ever the Irish Church is to be safely steered through the shoals and quicksands and rocks which are before it. Allowing ourselves to be paraded as being richer, we should have transferred to our own heads some of those resentful memories which will now cling around other brows. We might, indeed, have saved a certain amount of odium to others—we might have made the operation of our extinction easier—we might have saved the headsman some trouble, if we would have thus adjusted the block and sharpened the axe, and pointed out the exact vertebra of the neck on which we would have liked the decapitation to be effected, but

I do not see that the utmost stretch of charity demanded this at our hands. I ask your Lordships' pardon for occupying so much of your time with matter personal only to a few; but as we are making history now, as every act of every actor, even the most insignificant, in the great events which are now accomplishing themselves will often hereafter be brought under review, will be weighed in strictest balance, I would fain justify the course which we have pursued as the only one consistent with our own dignity, as that in which we did not consult otherwise than for the best interests of the Church; and, notwithstanding the rebuke which we have received, I, for one, thank God that, with a true appreciation of that which was before us, we held ourselves aloof from entering upon terms of settlement and accommodation, that is, as we are now taught, terms of unconditional surrender; and, whatever may befall us, it will, in time to come, be some satisfaction to remember that in this, the crisis, it may be, of our Church's fate, we did not condescend to humiliation, which would have profited us nothing; that if overthrown and destroyed, yet that we were not active agents in our own destruction, nor willing accomplices in our own overthrow. You will feel, my Lords, that it best becomes me if I refrain from entering into the political aspects of the question before your Lordships, or of its bearing on the future of your House. I feel the weight of all which the noble Earl has spoken, though in has not convinced me. But this aspect of the question will be much more fitly left in other hands. What I say will move in another sphere. I will only hope the sanguine expectations cherished by the noble Earl (Earl Grey) will not be disappointed, though the ominous silence which reigned on the Government Bench whenever he indicated that those Amendments to satisfy him must be serious and large, yields little encouragement to expect that Her Majesty's Ministers are prepared to depart from the principle of the Bill, which is to take everything from us which can be taken. But this much may be said on the matter—It seems difficult to pass on to the consideration of the Bill now before your Lordships without a few words on the higher principles which this measure involves; for, surely in the dissociation of the State from all connection with the Church, in the renunciation by the State of all that authority which a wielding of the sword and sceptre in the name of God has hitherto lent it, in the unconsecrating of all those mysterious agencies which bind a human society, an experiment of tremendous magnitude is about, for the first time, to be tried. I say for the first time. Other States may have never appealed to or invoked these influences; but we shall have been the first to repudiate and renounce. There is a life of a nation as well as of individuals — there are judgments of nations as well as of individuals; but God has generations in case of nations to work in; but if indeed we have arrived at the last act of the Irish Church — if we have assembled here only to pronounce a funeral oration over the Irish Church—I would not willingly leave unspoken the labour of love in which that Church has been engaged for so many years. I have been so recently connected with the Irish branch of the State United Church of England and Ireland that, in the very necessity of the case, any influence I can exert upon it is comparatively slight, but of this I can speak—namely, what she has done, and what she is doing. The matters must be spoken of; but, my Lords, I believe the closer we can confine the debate of these evenings to the Bill actually before the House, the more that—without leaving to expatiate on more general topics, however attractive—we address ourselves to the examination of its leading features, we seek to appreciate the spirit which animates it, the more probable it is that this discussion will be useful, whether as beneficially influencing public opinion without, or leading us ourselves to understand what it is to which our "Content" or our "Not Content" will presently be required. Admitting then, provisionally, that some, Bill is required, it seems to me that certain equities of transition needed to be most religiously observed which, on the contrary, have been disregarded altogether. They needed to be observed; for, granting that we were in a false position, that it was an error to have maintained a Protestant Establishment in Ireland so long, or to maintain it at all, and that some measure or other—this or some other—is needed, yet this was your error, not ours. If any are to be punished for it, it is not we, who are rather the victims of the error than the authors. It was you—you, the State—who, by professing to have made a provision for us—I use your own language, it is not mine, for I as little allow that you gave as that you can take away—it was you, who, professing to have made a permanent provision for her, who thus turned away from her the gifts and offerings of her children, the gradual accumulation of centuries, which would else have flowed into her coffers, but which were not given, because they did not seem needed—it was you who thus unlearned her children those habits of self-sacrifice and large liberality to the Church of God which doubtless they will learn again; but, in the very nature of things, only little by little — it was you, the State, who, by withdrawing from her her own assemblies, who, by prohibiting her from holding them, left her no opportunity of forming those habits of self-government, of mutual concert among her members, which are of such vital necessity to her in that new condition into which you purpose violently to thrust her. And now, having done all this, you are all of a sudden seized with a fit of repentance—a repentance it is true, which leads you to punish others and not yourselves; you are seized with a righteous resolution to do justice at all costs—all the costs, indeed, being the costs of others, and not your own; but we—you profess yourselves that, not for any fault of ours, but only because the good of the whole nation demands it—we must be brought down from our privilege and place. But if it be convenient to remove us, it should not also be deemed necessary to abuse us. If this ancient structure did stand in the way and there was need to take it down, we had a right to expect that it should be taken down as a temple is taken down, which it may be absolutely necessary to demolish, but whose stones move pity and remorse even in the minds of the unbuilders, while they call to mind all who have worshipped there, all who must be wounded to the quick and in the very sanctuary of their souls by what seems a profanation to them. We had a right to expect that the words applied only to the barren tree—"Cut it down, why cumbereth it the ground"—should not have been applied to us by one of the chief Ministers of the State; and, seeing that if it perishes it will perish by violence from without, and not by decay from within, we might have been spared the assurance that the *Regium Donum* and grant to Maynooth were buttresses to shore up the decrepid fabric. But, again, we had a right to expect that, as one of the equities of transition, whatever expectation of liberal dealing had been held out, they should be fulfilled to the uttermost letter. Grant, that on nearer view they may have involved some inconvenience, a little affected the symmetry of the measure, disappointed the hopes of some supporters who wanted nothing taken away if anything were left, still, if ever there was an occasion for recognizing the truth of that Italian proverb—"You are master of your unspoken word, your spoken word is master of you;" this was such an occasion, if ever occasion, to claim the beatitude of which the Psalmist speaks—"Give to him who promiseth to his neighbour and disappoint not," though it were to his own hindrance, this was such. Let me remind your Lordships of expectations last year held out. On the 30th of March, last year, Mr. Gladstone said—

> "In an operation so extended there will necessarily arise matters which are as much or more matters of feeling than of strict rule and principle; and as there will be likewise points which may be subject to fair and legitimate doubt, my opinion is that every disposition should exist to indulge and to conciliate feeling when it can be done, and in every doubtful case to adopt that mode of proceeding which may be most consistent with principles of the largest equity."

In the same speech, Mr. Gladstone said—

> "I am bound to say, in speaking of vested interests, that it appears to me at least a matter for argument and consideration whether we can strictly limit the phrase to those who are in possession of benefices, or whether some regard ought not possibly to be had—though it would be premature to give an opinion upon the point — to the cases of those who have devoted themselves to an indelible profession, which separates them from the great bulk of profitable secular employments, in expectation of the benefices which we have kept in existence by law under our authority, even though they may not actually have entered upon them."—[3 *Hansard*, cxci., 475.]

A little year has passed. Members have been elected, sent to Parliament in the full faith that in the spirit of these utterances the Church will be dealt with, and now — I will not say the mask is thrown off, for I do not suppose for an instant it was meant to deceive, but the policy is changed. The Chancellor of the Exchequer says—"There is no pretence for saying that we have been generous in framing this measure." Certainly not. But, then, why did you announce that you meant to be so? A little further, he speaks of the harshness and severity of the Bill. If he had added the extreme injustice, it would not have been beyond the mark. Again, he boasts—"We will make a great and important organic change, by which, not a single man shall suffer injustice." Let us see what he intends by not suffering injustice. There are nearly 500 curates in the Irish Church content to serve for the present on very small remunerations in the faith that in due time they will succeed to incomes somewhat better than those on which they now exist. These have all entered on a profession which they cannot quit, and have received a character which is indelible. Now there is no recognition whatever of these reasonable, but now for ever blighted, hopes. These 500 men, expensively educated, many of them highly accomplished men, are stereotyped—save here and there by some happy accident, over which they have no control—in their present poverty; and in your petty anxiety, lest one or another might escape this life-long indigence, you have made the operation of the Bill to commence, not as every reason demanded, with January 1, 1871, but with the passing of the Bill—so intolerable has it seemed to you that the Church should have even a year's notice that it was about to be turned, stripped and naked, on the world. But worse than this, even this pittance is made a charge on the income of the incumbents employing them—with about equal injustice to both—incumbents and curates being tied together; for the natural relations subsisting between them others substituted, and, as I believe, seeds which shall spring up in miserable confusion, for some twenty years to come, sown broadcast over the whole Church. Now there might have been some poor excuse for dealing like this if there was any fear of the fund failing from which they claim to be satisfied. But what is the fact? It is, in the language of one supporter of the Bill, a surplus so large that nobody knows what to do with it; and Mr. Bright, on the same night, asked—"What, I should like to know, are we to do with this surplus?" Well, suppose you had proposed to do justice with it? Your vaunted works of mercy—of mercy, at the expense of justice—have a fatal flaw about them—at least, in the eyes of Him, who has said—"I hate robbery for burnt offering." The case of the incumbents of small livings is quite as hard—300, under £100; 259 more, under £150; and 121 with less than £200. Your Lordships heard what was promised about our churches—conceded to us, but not as a right—flung to us on the contemptuous ground that they were not marketable property, not convertible — that buyers would not easily be found; but this is not all, made over to us under conditions which may very probably involve the loss of them all, suppose we are unable to constitute a Church Body by January 1, 1871—unable to apply for them—for we are to be submitted to the indignity of this application—no humiliation is to be spared us, the Royal Commission are empowered to do with these churches of ours what they shall think fit. I am, indeed, ashamed, amid the wreck of mightier interests, while a measure is before us which will consign to poverty, to obscurity, to a life defeated of its just rewards, so many who have deserved far better than myself—I am almost ashamed even to allude, in passing, to such as are private and peculiar to myself and a very few others. And yet, my Lords, I ask you whether faith has been kept. No departure from the engagement that vested rights and interests should be respected, and that, not only in matters of property but of privilege, when we, the Bishops of the Irish Church, are violently thrust forth from their seats, in this, the most august assembly in the world, and this for no wrong of ours, but only to gratify those who take a pleasure in any humiliation of our Church in the persons of its chief office-bearers, and who cannot wait for this gratification till, in the ordinary way, leaving no successors, we shall vacate these seats of ours. Because we resist, because we resent not merely the thing itself, but the manner in which it is proposed, the thing shall be done; we are taunted with unworthy apprehensions of the impaired power of the truth to stand by itself. But I do not see that elsewhere the truth—or what calls, I believe, itself the truth—does therefore forego or renounce such secondary helps as are within its reach, or desires to go naked and unarmed into conflict with the armed falsehoods and frauds with which in a world like this we needs must do battle. It is a mockery; and, did we not know that it was not so intended, it would be an insult to us to assure us that we are about to enter into a land of milk and honey, when we know that so far as you can make it it is a wilderness, stripped and denuded of everything which could afford sustenance and support. Your *vade in pacem* we put back with something of indignation, and not without a recollection of other occasions when the same words of dismissal were used. Again, I cannot but think there is little generosity in the assumption which is often made that all our misgivings about the future spring from doubts how far the liberality of Churchmen in the matter of money will meet our needs. My most rev. Friend said he did not for a moment under-estimate the financial and administrative difficulties that would attend the working of the Bill. But there are other difficulties incident to it of a far graver and more important character. Let us suppose that arrangements can be, and are made, for supplying all the scattered Protestants of Ireland with religious teaching, it will still have to be considered that the quality of that instruction is as important as its quantity. Are the Protestant clergy of Ireland for the future to be drawn wholly, instead of only in part, from the lower ranks of society? Will it be desirable to exchange such a ministry as we now possess for a ministry such as may be seen in many countries, dependent wholly on the favour of the people, and incapable for that reason of maintaining that position of independence which is essential to its usefulness? That is one difficulty to be apprehended, but it is not the only one. We Irish Churchmen are men of like passions with yourselves. We—as many of us as take interest in such matters—belong some to one school and some to another school of theological thought. We have, if you like so to call them, the same passions, prejudices, exaggerations on one side and the other as you have here. And with all this your Bill would compel us to settle—and to settle within a year, for we cannot go till they are settled—questions out of number, the most difficult and the most delicate—such, for instance, as the restraints which the Church shall impose on itself to bar any capricious changes affecting its doctrine or its discipline — the relation of the clergy to the laity in the future government of the Church, the election of Bishops, the rights which the congregation should have in the choice of its ministers, with many more. Why, there are here questions, upon each one of which, in former times, society has been torn asunder, and Churches rent in twain, and all these we shall have to settle in that temper which defeat leaves good men, untrained, unused to action in common. Imagine the English Church, many times stronger than ours, exposed to a similar trial — that all the outer bands and bonds which help to keep it together were suddenly withdrawn—that it was submitted to an experiment like that which befel the aged king in the Greek story, whom his credulous daughters cut to pieces and threw into the cauldron, with only the promise of the Colchian sorceress that he should come out renewed in perfect youth. Despite these promises, are you quite sure that it would come out at all? I believe it would, but the crisis would be a tremendous one, even as that before us is; and we surely have a right to resent all that language which speaks of it as otherwise than full of difficulties and danger and distress. Let me at the same time say and repeat that, despite all the statements of future mischief for us which have been wrought up into the texture of your Bill, I, for one, do not despair. It is in the spirit of resolute endeavour, that we who possess a painful pre-eminence in the Church of Ireland shall all address ourselves to whatever tasks may lie before us. And if at any time we have been, or shall be tempted to be, prophets of ill, we shall be pleased with nothing so much as the defeat of our prophecies and the putting to shame of our fears. For, indeed, it would be a miserable triumph to be able to turn to the authors of this Bill, and to say—"We warned you that you were planting the seeds of dissolution in the heart of the Irish Church, that it was impossible it could survive such a shock as you have prepared for it; and even so it has proved." That were a miserable triumph; but there is a triumph that would be well worth the winning, if it were permitted us to say—"Your legislation might only too easily have destroyed us—not, indeed, that such was your intention, though it was the intention of others behind you and urging you on—but by God's good hand upon us we have left the worst peril behind us, we shall live to hold forth the Word, and to witness in Ireland for those truths that have made England great, prosperous, and free." That were, indeed, a triumph, and to have the smallest share in winning it I would welcome joyfully all the painfulness, anxiety, and toil which for many a year to come—for the whole life possibly of those who are elders in the Church—must be the constant portion of those who occupy the foremost places in the Church of Ireland. You may succeed in carrying your measure; and you may succeed in carrying it with all its injustice unremoved. You are strong; but as morally it deserves no success, so inevitably it will meet with none. Conceived in fear, a testimony of the craven spirit of English statesmanship—it is not respect, gratitude, or affection that it will win for you. Those who hated you before will hate you still, with only this difference—that their hatred henceforth will be mingled with contempt; they will know there is nothing which may not be extorted from your fears. Your measure boasts itself to be one for the pacification of Ireland. Certainly there is a grim and ghastly irony which your *Hibernia Pacata* presents already. The olive branch which you hold out to her is disdainfully returned upon your hands, but returned dripping with blood. In what language is this measure spoken of by those whom it is most meant to to please. A very dreary farce, three days ago, the *Irishman* called it. I could only wish that it were not likely to be a very dismal tragedy as well. There are conflicts which can yield no triumphs —*nullos habitura triumphos*—and such the Roman poet prayed that his people might never wage. Such a conflict you are waging. You succeed, and what will you have done? You will have alienated friends, you will not have conciliated enemies; you will have thrown down much, you will have built up nothing; you will have withdrawn no one ingredient from the ever-seething cauldron of Irish discontent; but will have added fresh ones to it, and kindled into fierce activity the flames which are now smouldering and now blazing beneath it; you will have staunched none of the old fountains of bitterness, while at the same time you will have opened new ones in a land already too full of them.

THE BISHOP OF ST. DAVID'S: I wish to say a few words on this great question, as it is one on which it would be impossible for me to give a silent vote, because the vote which I shall feel it my duty to give would inevitably be exposed to very grave misconstruction if it were not preceded by some explanation of its meaning; and I am the more anxious to avail myself of this opportunity of addressing your Lordships, because I was not present at the debate of last year on the Suspensory Bill. My Lords, I was very much afraid that the view which I take of this subject is one that was not likely to find much favour on either side of this House. But the noble Earl who moved the rejection of this Bill assured your Lordships that there really was a very general unanimity among your Lordships upon this subject, which I believe no one had before suspected to exist to such a degree. And therefore I cherish the hope that I may be destined to the agreeable surprise of finding myself in not quite so small a minority as I had at first expected I should be. My Lords, before I state, as I intend to do, very briefly indeed, my position with regard to this Bill, I feel myself bound to advert for a few moments to one or two points which lie at the threshold of the whole subject, and to which I believe persons who are entitled to the highest respect, both inside and outside of your Lordships' House, attach very great importance; and I feel, occupying the place which I do in your Lordships' House, that I can hardly, consistently with the respect which I owe to those persons and to many of my right rev. Brethren who share their view, pass them over in silence. To those persons the measure now proposed for our approval seems so plainly stamped with the character of a sacrilegious spoliation as to supersede the necessity, and even to preclude the right, of entering upon the discussion of the subject on any other grounds. The noble Duke who took part in the debate last night said—"The property of the Irish Church is not the property of the Roman Catholic Church;

it is not the property of the Protestant Church; it is the property of God." I do not attempt to bring over anyone to my own way of thinking on this point; but I must own that I am inclined to envy those who are able to satisfy themselves with this summary way of settling the question. Of course there is a sense in which the proposition of the noble Duke is unquestionable. We know that "the earth is the Lord's and the fulness thereof." But it was not in that sense he meant the phrase, "the property of God," to be understood. He used it as involving an argument which he conceived to bear with great weight on the present question. And I must own that in this sense the phrase, "robbery of God," grates upon my ear. It seems to me to correspond to a view of the Deity which is neither Christian nor even Judaical, but heathenish. When I open the Old Testament I find several passages, familiar, I have no doubt, to your Lordships, in which the Jewish people are severely reproved for cherishing the vain and superstitious notion, common to the heathen nations around them, that material offerings might be accepted by the Most High as supplying some want of the Divine nature. My Lords, when I read those passages, when I read others in the New Testament in which the sacrifices with which God is well pleased are described, together with the nature of a pure religion or worship, I am led to the conclusion that no material offerings are so acceptable to the Almighty as those which are most beneficial to man. Let me suppose a case not wholly imaginary to illustrate my meaning. A wealthy and munificent gentleman builds a magnificent cathedral in Dublin. A wealthy and munificent lady builds a public market in London. My Lords, I believe that each of those acts was in the intention of the donor an offering to God, and I believe each of them to have been an equally acceptable offering to Him. But let me suppose that a fund had been bequeathed to be appropriated at the discretion of a trustee to one or the other of those purposes, I should like to know on what principle the decision of that trustee—if he were worthy to exercise so important a trust—ought to depend. I think I shall have the assent of your Lordships when I say that his decision ought to depend not on the superior sanctity of the destination, but on the local need or the general usefulness. It is not a question between God and man, but between one kind of gift beneficial to society and another. My Lords, the word "sacrilege" has been heard very often of late in this House; and I must say, its use reminds me of some instructive pages in the history of the early Christian Church. The cry of "sacrilege" was raised against St. Ambrose; and it was raised by a party with which I am sure neither any of my right rev. Brethren nor the noble Lord the Chairman of Committees (Lord Redesdale) feel the slightest sympathy—the Arians. And on what ground was this cry raised? Why, because St. Ambrose had sold the sacred vessels of the Church of Milan in order to apply the proceeds to the profane purpose of ransoming prisoners who had fallen into the hands of the Goths. My Lords, in my opinion that was not the least meritorious or the least holy act of that holy man's life. And observe, what does it imply? It implies that, in the opinion of one who was undoubedly a very sincere Christian and not at all a Low Churchman—circumstances might arise in which Church property, even while it continued to be capable of serving its original purpose, might be rightly and fitly diverted to another and a wholly different use. I am not saying that in this case such circumstances have arisen; but what I say is that the possibility of such circumstances arising, if that be admitted, at once transfers the question to the broad ground of general expediency and common utility. It shows that such expressions as "sacrilege" and "robbery of God" applied to this subject are as irrelevant and misapplied as they are irritating and offensive. There may be an error of judgment in the estimate of the circumstances, in the calculation of results, in the comparison of advantages, but there is no fair room for the imputation of sin or of crime. My Lords, next to the reluctance I should feel to consent to anything that in my opinion deserved the name of sacrilege would be that with which I should shrink from consenting to any measure which in my opinion tended to strengthen the power of the Pope or the influence of the Roman Catholic clergy, more especially in Ireland. My Lords, I venture to say that none of your Lordships feel more strongly than I do on this subject. It is true, I do not sympathize with all the demonstrations of Protestant zeal which are now so rife. I do not like — I utterly dislike and condemn — those itinerant lecturers who kindle evil passions, provoke breaches of the peace, and turn the streets of our great towns into scenes of tumult and even bloodshed. And why do I dislike them? Not because they are adverse to Rome, but because I think that they bring disgrace and damage on the cause which they profess to serve. I also very much question the judgment of continually holding up the Pope as a scarecrow. A scarecrow, my Lords, is most effective at first, but in course of time, I believe, it is often found, if it holds its place too long, the birds it was meant to frighten learn to perch on its shoulder and even to build their nests in its hat. But still I must venture to say that not one of these Protestant agitators is more strenuously opposed to the power of the Pope —none more deeply convinced that that power is in direct antagonism to the best interests of mankind—none more ready to contend against it by all weapons of legitimate warfare than I am. But, my Lords, I must say with regard to myself it is not enough to say that I am a friend of Protestant ascendancy—I am a great deal more than that — I am what some of its friends, I fear, are not in an equal degree with myself—I am a believer in it. But the ascendancy I mean is an intellectual, moral and religious ascendancy, the ascendancy of reason and truth over superstition and error. That ascendancy is so different from the physical ascendancy which is maintained by the cannon and the bayonet, that they are almost incompatible with one another. Of that true ascendancy, I hope and trust the Irish Church never will be deprived, as no act of the Legislature can take it away. It seems to me that there are persons and Protestants who believe in the Pope while they hate and fear him. I neither hate nor fear him, but I utterly disbelieve in him. And their error is that they measure the extent of his power by the arrogance and extravagance of his pretensions, as if hectoring and swaggering were sure proofs of strength and valour. I think the very extravagance of his pretensions is not only a sign but a cause of his weakness. Of this I feel sure, that the Papal power is everywhere on the wane. When I look at Austria, Italy, Spain— countries once the most devoted to the authority of the See of Rome—I find in all these countries the power of the Pope is in a condition of rapid decline. But if I needed to be re-assured against the visionary terrors of Papal supremacy, it would be enough for me to turn to the annals of our own history. The Parliament of this country was more than a match for the Pope even when this island was subject to his spiritual dominion; and can it be supposed that as the Parliament of a Protestant nation it will not be too strong for him now? But as one exception to the universal decline of the power of the Pope, I admit that in Ireland he has a very formidable stronghold, from which I should most earnestly wish to see him dislodged. In that country the Roman Catholic priesthood possess a power which I think is enormous and excessive independently of the manner in which it is employed. It is greater than in any other country in Europe; it is so great that it hardly admits of an increase; it is such as ought not to belong to any priesthood in any well regulated State. I think that no priest ought to possess the power of condemning a person to death at his pleasure by denouncing him at the altar, and I quite agree with the right rev. Prelate (the Bishop of Derry) who addressed us with so much energy last night — that the system on which the Roman Catholic priesthood live in Ireland is not really a voluntary system but entirely the reverse. They levy the means of their subsistence by a process of spiritual distraint, which is quite as effectual as any legal process would be; but is attended, I believe, with most mischievous and calamitous consequences. But that is a peculiarity of Ireland, which is in so many respects an exceptional country, and it has been found side by side with another exceptional phenomenon, which is the Established Church of Ireland; and I must say when I see these two singular phenomena in such close juxtaposition, I cannot think it an unfair or unreasonable conclusion to draw that they stand to one another in the relation of cause and effect. I really think it hardly admits of a doubt that this pernicious system has been the result of that false Protestant ascendancy which it is the object of the Bill now before your Lordships to abolish; and I think there is room for hope that the effect may not very long survive the extinction of the cause, and that before long the time may come when the Irish peasant will recover or gain his rights of freedom of thought and action—that he will become accessible to the pure light of the Gospel — that he will be able, without danger of insult or outrage, to avow and act upon his convictions; and that then it may turn out that the Irish Protestant Church may find itself, for the first time, standing on a really broad and firm basis of popular sympathy and affection.

Having thus cleared the way for that which was my main object in rising, I will now state very briefly the position I hold in regard to the Bill; and I think it will be most convenient if I state first how far I am able to agree with the authors of the measure, and then where and why I feel myself obliged to part company with them. I have long been of opinion that the Irish Established Church was not an institution well suited to the circumstances of Ireland; and I have always believed that from the moment the British Government changed its policy towards Ireland, and entered on a course of concession and conciliation, the settlement of the Irish Church question on an entirely new basis became logically and practically inevitable, and that it was only a question of time when that settlement would be effected. I conceive that the course of events since the close of the American civil war has decided that question. It has brought the subject of the settlement of the Irish Church to a prominence which it never before occupied, and has caused it to become, to use a common expression, the question of the day. I must say that I cannot admire the equanimity of any statesman who, contemplating the state of things since the American civil war, can look on it with composure, and can be content to trace it to the influences of the stars or of the ocean, and to leave it to the chapter of accidents. My Lords, the policy of *laissez aller* and the *statu quo*, does not seem to me to belong to a very high order of statesmanship at any time. But in such a state of things as that through which we have been passing, it amounts, in my opinion, to a positive abdication of the duties of government. But it is said that we have allowed ourselves to be needlessly frightened by a wretched and contemptible conspiracy. My Lords, I am surprised it should not have been observed that just because the Fenian conspiracy was in itself so contemptible, did the sympathy it found among the masses of the Irish people constitute a just ground of anxiety and even of alarm. It is also said that it is vain to hope that this measure will effect the pacification of Ireland. I quite agree that this is not likely to be the immediate or very speedy result of the measure; but I would ask what right have we to expect that any measure we may adopt will either immediately or speedily produce the result of effacing the memory of centuries of misrule, and of causing brotherly friendship at once to spring up in the room of animosity, rancour, and revenge? I agree, then, with the authors of the present measure in thinking that the object they had in view was a right one, and that it was one of urgent necessity; but there my entire agreement with them ceases. The solution of the great problem which I find embodied in the Bill before your Lordships is not the solution which I have been used to consider as the best or the right one. I have been in the habit of thinking that it is necessary that the Irish Church should cease to be the Established Church, but not that it should cease to be an Established Church. I think that it ought not to engross the whole provision made for the religious instruction of the people of Ireland, but that it ought not to be totally disendowed. The eloquent argument we heard last night from the right rev. Prelate was not needed to satisfy my mind on that point. I should be very sorry to see the Irish Church, or any Church, thrown on the voluntary system, and launched in a boat on a troubled sea without any provision for the voyage. From this simple statement your Lordships will be able to see in what respect and how far I differ from that which in one sense may be called the general principle of the Bill. But there is an important practical consideration which ought not to be kept out of view. I apprehend that the first and most indispensable condition of a good Bill on any subject of legislation, is, that it can be carried. A measure which does not fulfil that condition, however admirably it may be framed in all other respects, can never be worth more than waste paper. I cannot be a judge of the political necessity which may have induced the authors of this measure to believe that it not only justified, but required them to take the course they have, and, therefore, though it is one which differs widely from that which I should have thought desirable, I do not reproach or condemn them on that account. Had they taken a different course, they would, no doubt, have had to contend with many obstacles.

I find that at a conference of Archbishops, Bishops, and representatives of the clergy and laity of the Irish branch of the Established Church, held at Dublin last April, it was declared that they protested against this measure of disestablishment and disendowment; and then they proceeded to say that they distinctly repudiated what is commonly known as the "levelling-up" system. If that language is to be considered as a legitimate exponent of the general feeling, what hope could remain, I should like to know, of passing a measure of a totally different kind from the present? I therefore think that no course is left open but that recommended by the most rev. Prelate in the powerful speech he delivered yesterday—namely, to make the most of what we have, and to get as much as we can. I believe that in the details of this Bill, there are many things open to most serious objection, and capable of great improvement, but all this is an argument, not for rejecting but for accepting the measure, and making the best of it. I am thankful to the noble Earl who addressed the House last but one yesterday for relieving me from the necessity of touching on another topic, which I should otherwise have been bound to advert to—I mean the argument founded on the fancied analogy of the case of Wales to that of Ireland, but far from there being an analogy, there is the strongest contrast between the two, not only in the fact that there is no broad channel flowing between England and Wales, but also in the circumstance that the whole population of Wales are of one way of thinking on religion, and do not differ from the Established Church in any essential point, in a greater degree than the members of the Established Church differ from one another. Entertaining these mixed views I have anxiously considered whether it might be consistent with my duty to abstain from voting on this question. There were several motives which would have inclined me to adopt this course, but I remembered the place and the doom assigned by the great Italian poet to that *Setta dei cattivi*, who, on momentous occasions, when great questions were debated and high interests were at stake, sided with neither party, but kept aloof and by themselves in a selfish neutrality. I did not like to join myself to that company. I felt that it was my duty to consider my vote as if it were the casting vote on which the issue of the debate would depend. Viewing it in that light, I could not hesitate as to the side on which it must be given. My Lords, for my own part, I cannot accept the resposibility of the consequences which in my opinion, would inevitably ensue, even on the least unhappy contingency, if your Lordships were to fling this Bill at the face of the country. This Bill will be as sure to come back to your Lordships' House as a stone thrown up into the air is sure to come down to the ground. It will return, itself unaltered, but it will not find your Lordships as it left you. You will receive it again, but not without a serious diminution of your dignity, your reputation, and your legimate influence in the country. These are precious things. They are parts of a national treasure of which your Lordships are the trustees, and it behoves you to watch over them with a most jealous care. It is because I could not consent by any act of mine to impair or to imperil them that I shall feel myself compelled—not, indeed, without reluctance, but without the slightest misgiving as to the propriety of the course I am taking—to record my vote for the second reading of the Bill.

LORD CHELMSFORD: My Lords, so many other noble Lords are eager and anxious to address the House that I am reluctant to interpose. But I feel bound not to trespass unnecessarily on your Lordships' time, and therefore I shall proceed at once, without preface, to state my objections to this Bill. From the moment that the scheme of disestablishment and disendowment of the Church in Ireland was brought before the public, as my noble Friend on the cross-

Benches (Earl Grey) said, for the advancement of political interests, I felt a strong conviction, which reflection has tended to confirm, that Parliament has no right to deal with this question of the Church in Ireland in the manner in which it is proposed to deal with it in this Bill—that is, in the words of the title of the Bill, "to put an end to it as an Establishment." Of course, I am not here to deny the power of Parliament to legislate upon any subject in any manner, according to its arbitrary and absolute will and pleasure. Parliament is omnipotent in legislation, for evil as well as for good. It may, if it pleases, repeal Magna Charta, or the Habeas Corpus Act, or the Bill of Rights, or the Act of Settlement, or it may change the whole form of the Constitution. But no one can say that it has a right, in the sense of moral competency, to do any one of those things. In the same way I maintain that Parliament has no right to lay a destroying hand upon the Church in Ireland, unless it is prepared to violate every solemn engagement and disregard the pledged faith and honour of the nation. I know that a very short argument is used for the purpose of justifying the right of Parliament to sweep away this branch of the Establishment. It is said that the United Church of England and Ireland is the creature of an Act of Parliament; and that what one Parliament creates another may destroy; that it is contrary to all sound principle, that one Parliament should fetter the action of a subsequent Parliament. I admit the principle to the fullest extent; but I deny its application to the present circumstances. I say that the Establishment which you are now considering was not created by Act of Parliament. I say that it was the result of a solemn Treaty, entered into between two independent contracting parties, and that the legislation with respect to it was merely the seal and the ratification of the Treaty. This was the opinion of Mr. Pitt, who, upon the discussion as to the Resolutions of the Irish Parliament embodying the Articles which were the result of the Treaty, used these words—

> "In the third Article is the beginning of the detail which must necessarily take place in treaties of this sort between independent nations. It divides itself into five leading branches—namely, the regulations with respect to the Imperial Legislature, the provisions for the security of the Established Church, the regulation of the commercial intercourse between the two countries, the arrangement of their respective proportions with respect to revenue, and, finally, the provisions relative to courts of justice.—[*Hansard: Parl. History*, xxxv. 40.]

Now your Lordships will bear in mind that at the time of the Union the Parliaments of both countries were purely Protestant. It may be said—and it has been said—that the Irish Parliament did not represent the Irish people. But nobody will deny that the Irish Parliament was the lawful Legislature of the country, and that its Acts and laws were as binding upon the people as the laws of the United Parliament before the passing of the Roman Catholic Relief Bill or the Reform Bill. If any authority is wanted for that, I again refer to Mr. Pitt, who upon the same occasion said—

> "If the Parliament of Ireland had no just power or legitimate authority without the immediate instruction, not of its constituents merely, but of the people of Ireland in the mass, as little has the Parliament of England such authority, as little had the Parliament of Scotland that authority, as little had the Parliament of England and Scotland that authority when they agreed upon the Union between the two kingdoms.—[*Hansard: Parl History, Ibid.*]

Now, as long as the Irish Parliament existed it was the national guardian of the Irish Church. But as one of the conditions of the Treaty was that the Irish Parliament should be absorbed in the Imperial Parliament, it was naturally anxious to provide, now that its guardianship was coming to an end, a more powerful guardian for that Church of which it had so long been the protector. Knowing at the time that it was the Church of the minority, and fearing that danger might arise to it on that account, when what I may call the home protection was to be withdrawn, the Irish Parliament determined to strengthen and secure the permanence of that Church, of which it had been so long the guardian, by binding it up indissolubly with the Established Church of England. Accordingly, in the terms of the Treaty proposed by the Irish Ministry, it proposed in the most emphatic language—

> "That the Churches of England and Ireland as now by law established be united into one Protestant Episcopal Church, to be called the United Church of England and Ireland, and that the continuance and preservation of the said United

Church of England and Ireland shall be deemed and taken to be an essential part of the Union."

Your Lordships are aware that the negotiations between the two kingdoms were carried on by the interchange of Resolutions embodying the different Articles of the Treaty, and that these being agreed to by both Legislatures, the Treaty, as I say, was completely concluded between the parties, and it only remained to put the seal to it. Accordingly, Acts of both Legislatures were passed *todidem verbis;* and the peculiar form of these Acts is, in my mind, most important in order to show that it was not the Act but the previous Treaty, upon which the Establishment of the Irish Church was based. The Act, after reciting that, in furtherance of the Resolutions of the Parliaments of the two kingdoms, both Houses of the said two Parliaments respectively have agreed to certain articles for effectuating the union of the two kingdoms, sets forth those articles *seriatim;* and then it enacts that—

"The said foregoing recited Articles, each and every one of them, according to the true import and tenour thereof, be ratified, confirmed, and approved, and are hereby declared to be the Articles of the Union between Great Britain and Ireland, and the same shall be in force and effect for ever."

Now, if I have shown, as I think I have, that the Established Church in Ireland is not to be regarded as founded upon the Act of Parliament, but on a previous Treaty between two independent nations, it is clear that we have to deal with a contract of the most solemn kind, which cannot be annulled or altered, except by the mutual consent of both the contracting parties—for it is contrary to common honesty and fair dealing that one of the parties to a contract should insist upon its observance, and yet refuse to perform the conditions imposed for the benefit of the other party. But if a contract can be annulled only by the mutual consent of the parties to it, where is that consent to be found in the case of one of the parties to this important contract? Why, it was in accordance with the very terms of the Treaty to which I have just referred that the existence of the Irish Parliament should be absorbed in that of the United Parliament of Great Britain and Ireland; and no one will, I think, venture to contend that the comparatively few Lords and Commoners who were, in consequence of the passing of the Act of Union, introduced into the Parliament of the United Kingdom represent the independent Irish Parliament which agreed to this contract. Here we have, then, an Act of Parliament confirming a contract which contains different Articles, and one with regard to which the Irish Parliament manifested particular anxiety, acting entirely on the faith of the nation with which it was contracting. The Irish Legislature has on its statute book this which I may call its last will, and we are now called upon to act the part of a fraudulent legatee who, having a legacy bequeathed to him on certain conditions, refuses to attend to the dying declarations of the testator, and, clutching the bequest, declines to perform the conditions on which it was given. I contend that the Treaty to which I have referred, followed by those acts of the two Legislatures, bound up the Established Church of Ireland with the Constitution, and that until the Constitution is destroyed, its maintenance must remain a perpetual obligation on the State. If it be asked—"Do you deny the power of Parliament to deal with the Irish Church as is proposed?" I answer distinctly and unequivocally—"Yes; except in the same way as by its own arbitrary and tyrannical will Parliament may commit any other act of violence, injustice, and spoliation." But suppose this disregard of the pledged faith of the nation to occur, how, I should like to know, is it possible, except by having recourse to the same argument of force, to maintain the union between the two Kingdoms? Unless the word "essential" is by some non-natural interpretation to be read as "non-essential," in construing the Act of Union between the two countries, how, I ask, after this violation of one of the most important provisions of that Act, is the Union itself to be upheld? This is no new idea. It long since found expression in the words of that most eloquent man, Lord Plunket, who said, on giving his opinion of the Union in connection with the Church—

"I feel that the Protestant Establishment of Ireland is the very cement of the Union. I find it interwoven with all the essential relations and institutions of the two Kingdoms, and I have no hesitation in admitting that if it were destroyed the very foundations of public security would be shaken, the connection between England and Ireland dissolved, and the annihilation of private property must follow the ruin of the property of the Church."

Again, he said—

> "He had no hesitation in stating that he considered the Established Church the great bond of union between the two countries, and if ever that unfortunate event should arrive when they should rashly lay their hands on the property of the Church to rob it of its rights, that would seal the doom and separate the connection between the two countries."

I may also be allowed to take a weapon from that armoury which has been so often employed against its able and powerful author. Mr. Gladstone, in speaking of the Church in Ireland in connection with the Union, wrote thus—

> "A common form of faith binds the Irish Protestants to ourselves; while they, upon the other hand, are fast linked to Ireland, and thus they supply the most natural bond of connection between the two countries. But if England, by overthrowing their Church, should weaken that moral position, they would be no longer able—perhaps no longer willing—to counteract the desires of a majority tending, under the direction of their leaders (however, by a wise policy, removable from that fatal course), to what is termed national independence."

It may be said that there is nothing whatever in this argument, and that it is absurd to suppose that, by interfering as the Bill proposes with the Irish Church, the Union between the two countries can be in any way endangered. Why is it, then, that the 71st section of the Bill contains a provision to the effect that nothing which it contains shall affect the Act of Union, or anything done thereby, "except so far as relates to the Union of the Churches of England and Ireland?" Is it not clear that on the very face of the Bill its authors are forced to admit that there is danger to the Union between the two countries if the Established Church in Ireland be taken away. They say—"We admit it was part of the Treaty that the Church Establishment should be maintained; but we will not comply with that condition, but we will keep the rest."

I would now, my Lords, very briefly advert to the consequences which are likely to follow the course which your Lordships may take with respect to this measure. We have been threatened with serious consequences if we should be bold enough to reject it; but let us consider for a moment what may be the possible consequences of our accepting it. There are persons who are indifferent to the destruction of the Irish Church, but who would very much regret to see the same violent hands laid on the English Church. These persons, however, are of opinion that by exterminating what they look upon as a rotten branch of the Church, what remains will be likely to flourish with greater vigour. My Lords, when disestablishment once commences "the work of devastation is begun, and half the business of destruction done" — the disestablishment of one part of the United Establishment must inevitably affect the whole. We have no Established Church in the country except the United Church of England and Ireland—and these are not United Churches, but one Church—one indivisible body; and if one member suffer, all the members must suffer with it. You cannot break down any portion of an entire building without leaving the remainder in a ruinous condition, or, at all events, without leaving in the walls breaches sufficiently large to make the entrance easy to what remains. But there are other consequences which must follow, and which to my mind are extremely alarming. You are familiarizing the people with the idea of destroying the institutions with which the whole history and traditions of this country are interwoven. When this subject was first brought forward I could not help feeling the utmost astonishment—I could not help asking myself the question—"What would have been thought of such proposals not many years ago?" I did not believe the idea of the destruction of the Irish Church could be seriously entertained, or that it would meet with such encouragement. My Lords, looking back to the year 1825—some years earlier than the date alluded to by the noble Earl who opened the debate this evening —I find that Mr. Hume moved the following Resolution in the House of Commons:—

> "That the property now in the possession of the Established Church in Ireland is public property, under the control of the Legislature, and applicable to such purposes as in its wisdom it may deem beneficial to the best interests of religion and of the community at large, due regard being had to the rights of every person in the actual enjoyment of any part of that property."—[2 *Hansard*, xiii. 1157.]

Mr. Canning, after desiring the fifth Article of the Act of Union to be read, observed that if the House should agree to the Resolution there was nothing to prevent them seizing upon the property of corporations. He said—"Then, again, why was the House to stop with the tithes of the Church? Why not also possess themselves of the lay tithes?" And he concluded by characterizing the Motion as one of the most barefaced propositions of injustice that had ever been submitted to Parliament, and that his firm belief was that to such a Resolution the hon. Member would find few supporters in that House, and still fewer in the country. It is now, however, asserted that there is a majority in the country in favour of this measure for the destruction of the Irish Church. My Lords, I may be permitted to doubt that statement. But this I think, at all events, is certain—that there is no majority in the country in favour of this particular measure. Whether that is the case or not is to my mind immaterial, because no majority, however large, can justify, or turn what is wrong to right. Let us see on what grounds it is sought to justify this measure, which I again characterize as one of violence, injustice, and spoliation. In the Resolution which ushered this great question into the House of Commons it was stated that it was necessary that the Establishment of the Church in Ireland should come to an end, but in the Bill this tyrant plea of necessity is softened into expediency. It is said that it is offensive to the Roman Catholics that the Church of the minority should be connected with the State, and be endowed. And so it appears that, owing to this sentimental grievance, this attack is to be made upon the Church. I am far from denying that a grievance of this description may be as deeply felt as one that is substantial in its character; but I cannot help feeling a little doubtful about its reality when I find it kept in reserve for a great length of time, and when I find that utterance is given to it only when a convenient season arrives, and instruments are found to carry out the objects which the complaining parties have in view. These parties are now fighting their battle under the banners of religious equality. Such a battle-cry is perfectly alien to the spirit of their religion. By the decree of the Council of Trent, Rome is declared to be the Mother and Mistress of all Churches, and by that title she claims jurisdiction over all apostates, schismatics, and heretics, even where they do not belong to her Church. According to the doctrines now taught in the theological lectures at Maynooth, Protestants are denounced as a society of schismatics, in which denunciation our Sovereign is, of course, included. My Lords, they must be utterly blind who do not observe how, step by step, the Roman Catholics of late years have been advancing towards their object of establishing the supremacy of their Church. They feel that the Church in Ireland is a barrier to the expansion and development, as it is called, of their religion; and, therefore, it is that under the false cry of religious equality they endeavour to level that Church in the dust, in order that they may exalt their own Church upon its ruins. But is it imagined that the destruction of the Established Church in Ireland will satisfy the aspirations of the Roman Catholics? We know by experience that with them "claim leads to claim and power advances power." Does anyone believe that by abolishing the Irish Church you will diminish the weight of imaginary wrongs? It is our duty to take warning by experience, and those who do so cannot cannot fail to see that this is only a step in furtherance of the object which they ultimately hope to attain—the complete ascendancy of their Church. Then it is said that the object in view is the pacification of Ireland. But does anybody believe that the policy now recommended will lead to that result? We know perfectly well that the land question, which is behind, is hardly hid from view by the Irish Church being put prominently forward, and we know that the Irish Church is made the stalking-horse by many, under cover of which they may aim at their objects with regard to the land. The noble Duke who spoke last night (the Duke of Rutland) put this very prominently forward. He read an extract from the *Tablet* to show that this party would not be satisfied by the destruction of the Irish Church. In the latter part of this extract it is said—

> "We are perfectly convinced, and on evidence than which demonstration could scarcely be more conclusive, that if the Legislature were to confiscate to-morrow every acre of land and every shilling of tithe rent-charge now belonging to the Protestant Church Establishment in Ireland, and were to deprive the Protestant Bishops and clergy of every legal privilege which they now possess by virtue of their belonging to the State Church, they would not have abated the Irish grievance, or

> cured the Irish disease; they would only have caused a change in the form of words by which the complaints of those who feel aggrieved now find expression."

Do many of your Lordships think that by the destruction of the Irish Church you can produce tranquillity in Ireland? No; by following that course you will exasperate the minds and alienate the affections of the large body of the Protestants in that country, and will encourage a highly excitable people to agitate for whatever, in their wild imaginations, they may be instructed to make the object of their desires. I believe this measure is one which is a violation of the most solemn engagements and of our national faith and honour; that it is likely to be attended by the most serious consequences; that it will lead to the depression of the Protestants in Ireland, and promote the ascendancy of the Roman Catholics; and instead of creating peace, tranquillity, and harmony in that distracted part of the kingdom, it will excite a bitter feeling of religious animosity of which it is impossible to foresee the end. My Lords, feeling so deeply and so strongly on this subject I cannot hesitate to vote against the second reading of this Bill.

LORD PENZANCE: My Lords, in referring to the observations of my noble and learned Friend who has just addressed the House (Lord Chelmsford) I am satisfied that the root of this question is the proposition that the State Church of Ireland is an injustice to the Roman Catholic population of that country. My noble and learned Friend laid great stress on the injustice likely to be caused by the passing of this Bill. Now, I think the injustice lies on the other side; but I am quite prepared to admit that unless it can be established that there is a manifest and gross injustice in the Irish State Church as it now exists there is no foundation for this Bill, and the arguments put forward in favour of the measure all fall to the ground. I ask your Lordships, then, what test we ought to apply in order to find whether there is such an injustice in the Irish State Church? The noble Earl who moved the second reading (Earl Granville) applied a test which must have come home to the understanding and the conscience of every one who heard him. That noble Earl said—"I venture to ask you this question—How would you like it yourself?" If, my Lords, there were forced upon you a Church in which you did not believe—a Church whose teachings are opposed to all your religious convictions, I ask whether any one of you would get up and say, upon your honour, that you did not feel you were suffering under the grossest injustice? But, my Lords, I will apply another test. Let me suppose for a moment that the State Church of Ireland did not exist, and then let me venture to ask you whether anybody—looking to the population of Ireland and the relative numbers of Catholics and Protestants into which that population is divided—would propose that a State Church should be established in that country which would teach the Protestant faith? If such a thing were to be done by Parliament, let us ask ourselves how we should frame the Preamble. Should the Preamble run thus:—"Whereas the people of Ireland are for the most part Roman Catholics, and whereas the people of England are for the most part Protestants, and it is desirable that the faith of the people of England should be adopted by the people of Ireland." My Lords, would such a Preamble bear reading in this House or in any legislative assembly? I will offer another Preamble—"Whereas the people of Ireland are for the most part Roman Catholics, and whereas the people of England are for the most part Protestants, it is fit, just, and desirable that there should be established in Ireland a national State Church devoted to the teaching of the faith of the people of England." I ask, my Lords, whether any man in this House would be bold enough to stand up and justify such a Preamble? But, as a minority of the people of Ireland are not of the Roman Catholic religion, there might be another form of Preamble—"Whereas the great bulk of the people of Ireland profess the Roman Catholic religion, and a small minority of the people of Ireland profess the Protestant faith, the said minority being loyal and peaceable subjects, well affected to the Throne and the institutions of these realms, it is therefore expedient that the funds devoted to religious purposes in Ireland should be applied to objects in connection with the religion of the minority." That is another way of putting the question; but I say again, that no man would propose a Bill with a Preamble such as that.

My Lords, I quite recognize the distinction between putting a Church upon a people and uprooting a Church which has existed for many years and has struck its roots deeply. But what was the origin of the Irish Church? At a time when it was imposed on the Irish people, the Reformation had just sprung up in England, where it had taken root; and nobody would deny that it was a measure of policy at the time, and one which any Government would be justified in adopting, to endeavour to assimilate the faith of the Irish people to that of the people of England. The attempt, therefore, made at that time was therefore justifiable, if not wise. But now, looking back through a vista of 200 or 300 years, we see that the experiment signally failed. At the end of 200 or 300 years we find that the Irish people, instead of being drawn into the Church which was forced upon them, have diverged from it; that, so far from being members of that Church, the bulk of the Irish people are of an antagonistic faith. What then, ought Parliament to do, the experiment having so failed? Will it be said that we should be justified in doing nothing at present—in taking no step to remedy the evil, but waiting until the Roman Catholic populations are gathered into the Protestant fold? I hold that an injustice of this kind must be dealt with at some time: how, then, are we to proceed? You might establish a Roman Catholic national Church in Ireland. When I say you might do so, I mean that if there is to be a State Church in any country it ought to be the Church of the great majority of the people of that country. But, as a matter of practicability, the thing is out of the question in this case. In two countries like England and Ireland, united under the one Crown, we could not have two State Churches of an opposite character. Therefore, that plan must be rejected. But if you cannot have as the State Church a Church which is in accord with the religious sentiments of the people, and if it is unjust to have as the State Church a Church which is against the feelings of the people, it follows that the best thing is not to have a State Church at all. What then can be done? Now, my Lords, I speak under great disadvantages in this House in consequence of my want of experience; but I enjoy one inestimable advantage—that *Hansard* and I are perfect strangers. Speaking, then, on this subject for the first time, I say boldly that justice will never be done to Ireland till you surrender to the Irish Roman Catholics a share of the State funds, applicable to religious objects, proportionate to their numbers and importance. But, in making that statement, I know that I am again coming into contact with the impracticable. I know that, whatever strict justice may require in the abstract, neither House of Parliament will consent to give the Roman Catholics such a share of the State funds. The thing is impossible. Why? Because, my Lords, we live in a time of religious toleration. What is the meaning of religious toleration as it is understood now? That one's neighbour is at liberty to form his own opinion on religious subjects without interference from anybody; but that no one is ready to admit that his neighbour can possibly be right. Full liberty to your neighbour to form his own opinions, and full liberty to yourself to denounce those opinions as heretical. That is the character of modern religious toleration. If, then, anyone were to propose—as I believe persons have proposed it—that the State funds for religious purposes should be divided among the different denominations in proportion to their numbers, I am quite sensible that the people of this country would not be prepared to acquiesce in any such arrangement. True, there is this alternative put forward by some persons. They say—"If you cannot surrender to the Roman Catholics their portion of the religious funds, at least let the Protestants keep their share." But is this justice? It appears to me that very great difficulty will be felt throughout the passage of this Bill should it be read a second time, if the principle spoken of by the most rev. Primate, in his admirable speech last night, were adopted by your Lordships. We must always recollect that the principle of this Bill is that of equal justice to all, and I know of no ground upon which the people of this country would be justified in proposing to hold back out of the national State funds any portion for the furtherance of the Protestant religion, unless they are, at the same time, prepared to give a portion of those funds to the other religious denominations. To pass to a different part of the subject, let me ask what is the precise benefit which we expect to follow from this measure in the event of its being carried? My Lords, he must be a sanguine man who imagines that the passing of this Bill will at once seriously affect the condition of Ireland. Fenianism, which has been stated to be the cause of the introduction of this Bill, is a plant of foreign growth, which has sprung up in a country separated some distance from us—in a country friendly to us, and one which is very sensitive of national obligations—and, notwithstanding the efforts which the Government of that country have no doubt made in accordance with their principles to put down the growth of this noxious plant, it has there flourished, and has sent forth the poison which has since contaminated the people of Ireland. When Fenianism came across the water and reached the Irish soil, it there found a people discontented with their government—a people long habituated to conspiracy, and to resistance to the law—and naturally it spread among such a people with amazing celerity. My Lords, I believe that the cure for Fenianism is but one—it is to be cured alone by a firm and unswerving administration of the law. Fenianism attacks no particular form of government and no particular form of religion — it addresses itself against no particular grievance—it wars against the first principles of society; and, therefore, it ought to be put down by the strong arm of the law. But if you do not expect to put down Fenianism by this measure, what do you expect from it? My Lords, I do not propose, inexperienced as I am in Irish affairs, to go at length into the various evils which beset that unhappy land; but there can be no doubt that they are of long standing and are deeply seated. There are the evils of the Roman Catholic priest, the land, the potato, the national character, and "the melancholy ocean." The last, I am afraid, is incurable, because no legislation can remove it. The discontent in Ireland has not been removed by the legislation of the last twenty or thirty years; the country has not been pacified by either the Arms Bill, the Coercion Acts, or the Suspension of the Habeas Corpus Act. And, more than that, the name of Ireland has become a reproach and a byword to England. In the mouth of foreigners Ireland is coupled with Poland; and the general impression throughout Europe is that Ireland is oppressed by England. Now, my Lords, this is no light matter—no educated Englishman can hear such a charge as that brought against this country without a feeling of shame and disgrace. The only answer he can make to it is—"Why should we oppress Ireland; what do we get by doing so; we take no taxes from her, and we obtain no resources from her?" My Lords, Englishmen have no other desire than to do justice to Ireland. Whatever good has come to that country of late years has been mainly due to the exertions and to the expenditure of those Englishmen who are fortunate enough to hold estates there. Therefore, my Lords, there is no reason, as far as England is concerned, why Ireland should not be pacified. Well, then, willing as we are to do all we can to render her happy and prosperous, and finding as we do that she still remains discontented, is it not time that we should endeavour to see if the course of action we have hitherto pursued is the right one, and to review the principles upon which our government of that country has been conducted? And on the very threshold of that review would stand this moral deformity of the Irish Church—and I use the words "moral deformity," because, say what you will in favour of the Irish Protestant Church, it cannot be denied that it is the English Protestant faith which is upheld in Ireland in the form of that Church. It is the expression of English faith recorded upon Irish soil. And this, my Lords, is one good reason why this Bill should pass. No effort on our part should be spared to remove a deformity of this character, and no cost is too great that will set us right with the world and with Ireland by placing our legislation upon a basis of justice. But, my Lords, a great party in this country, acting beyond doubt upon the most conscientious motives, has opposed the change proposed to be effected by this Bill. Of the two main grounds upon which the Bill is opposed, the first is that to attack the Church of Ireland is to put the Church of England in danger. The noble and learned Lord who last addressed your Lordships (Lord Chelmsford) put this objection in the strongest light, and entreated your Lordships to look upon this Bill as an attack upon the English Establishment. My Lords, I for one should be very sorry to see the English Establishment in any way injured. It is the Church of the great mass of the nation; and I believe that an Established Church is a great national necessity, and is a national acknowledgment of religious duty. It replaces what is fitful and spasmodic in religion by what is sober and stedfast, and is calculated to preserve a temperate piety, between unbelief on the one hand, and enthusiasm on the other; and, above all, it prevents religion from being degraded into a trade. Therefore, if, in my judgment, there were anything in this Bill likely to affect the English Establishment, I should be opposed to it. But what ground exists for a reasonable apprehension that if the Irish Establishment be struck down by the hand of the law the English Establishment with which it is allied will thereby be injuriously affected? It seems to me, my Lords, that the argument is altogether the other way. The English Establishment is strong in the affections of the people—it is strong because the large majority of the people of this country think highly of it. Should the day ever come when the affections of the people of this country are withdrawn from it, the time will have arrived when the English Establishment will not have much hope left. But can anyone suppose that the affections of the people of England towards the Church of this country are stimulated by the connection it now has with the Church of Ireland? Can any man suppose that by joining an institution strong in the affections of the people with an institution which has been condemned for years in the opinions of most reasonable men any strength is added to the former? If the strong and the weak stand side by side, the weaker leans upon the strong, it does not support it. If the healthy and the morbid are brought into contact, the healthy suffer without the morbid gaining strength. My Lords, in my opinion the Irish Church is the weak point of the English Establishment. What general would hesitate to surrender an indefensible fortress, or, to adopt the illustration of the noble and learned Lord, what architect would desire to preserve a tottering tower to the jeopardy of the rest of the building, or what surgeon would hesitate to sacrifice a morbid limb to preserve the rest of the body. What argument can be brought against the English Establishment that cannot be brought with ten times the force against the Irish Establishment? The enemies of the English Establishment find their strongest arguments in the Irish Establishment. Therefore, those who wish well to the English Establishment would do well to part with that of Ireland. The Irish Establishment is attacked on the ground that it is unjust; but no such attack can be made upon the Church of England, because the injustice which exists with regard to the Irish Establishment has no place here. Therefore, to say that because we are surrendering that which is indefensible we are endangering that which is perfectly defensible appears to me to be a mistake. Now, my Lords, before I sit down let me call your Lordships' attention to the position in which this question stands. The admirable speech of the noble Earl (Earl Grey) who opened the debate this evening, with his great and varied experience, leaves little to be added on this part of the subject. But, my Lords, I may ask this question—what deference are your Lordships prepared to pay to the distinctly expressed will of the English nation? Menaces, no doubt, have been thrown out against this House in the worst possible taste, which are likely to have but little effect upon the result. No man who enjoys a seat in your Lordships' House would value that seat for a moment if it were to be held at the cost of independence. To form and express your opinions with independence is the sole condition on which this House ought to exist. And to say that, because the other House of Parliament has resolved upon this or that by a large majority, therefore this House is bound to follow in the same direction, is to render the House little more than a French Parliament, to record the decisions of the King in the *lit de justice*. That is a position which this House has never occupied, and, whatever may happen in the future, I am persuaded it never will consent to occupy. Your Lordships are responsible to no constituencies and to no individuals for your consciences and the votes which you give; therefore you are the more responsible in the judgments which you form to the nation at large. In the nation at large you recognize those who have a right, so to speak, to criticize, and to call you to account for your proceedings. What deference, then, will you pay to the expressed will of the nation? Probably that will depend very much on this other question—how has that will been expressed? In common parlance one says that the will of the nation is expressed through its representatives in the House of Commons; but, as I have pointed out, that would be to make this House of no account in the Legislature. I apprehend, however, there are other ways of ascertaining the will of the nation; and if it has so fallen out that this particular question which we are now treating has, in a distinct and definite form, been laid before the nation, and they have given their verdict and judgment upon it, then I ask you whether it is not an occasion when you may fitly consider what amount of deference you will pay to the national will. No body of men in the present day can affect to take part in the government of a free nation without being prepared to shape their course by the will of that nation when it is once ascertained. Faithfully to interpret the will of a nation is the first function of a legislative body; and those who aspire to govern must bring to the task the sagacity to ascertain the will of the nation, and the determination to carry it out. Now, what has occurred with reference to the present question? The speech of my noble and learned Friend who leads the Opposition (Lord Cairns) was quoted last night by the noble Earl who introduced the Bill, at the close of which speech my noble and learned Friend invited an appeal to the country. The language that he used, candidly and fairly interpreted, appears to me to mean nothing more than this—that, as a Minister of the Crown, he was prepared to stake the existence of the Ministry on the verdict of the nation. And on what question was that verdict to be passed? Why, on this very question of the disestablishment and disendowment of the Irish Church; for at the end of the long and elaborate and most able speech by the noble and learned Lord, he said—"We are prepared to go to the people of England, to appeal to their judgment, and by their judgment to abide." Now, what will be the effect of rejecting this measure upon the second reading? You will untie the tongue of every man who wishes evil to this House and the Constitution. I am not one of those who believe that the position of the House of Lords in the estimation and affections of the people of England has of late years been diminished or endangered. The House of Lords have always known how to deal with the great questions which have agitated the nation. The House of Lords have always known how to reconcile their functions with the national will, and I am not one of those who believe that their influence has been seriously impaired. But if you reject this Bill, you will set abroad an agitation in which the cry will be—"The House of Lords against the people;" you will untie the tongue of every agitator; you will enable those who wish harm to the Constitution and to the House to use language of this character—"You have taken time to consider this matter; last year you stood between the determination of the House of Commons and its fulfilment; you threw out the Bill, which we did not complain of; you then appealed to the country, and there was no election address, at one side or at the other, in which the Irish Church question was not laid before the constituency as the turning point of the election. You invited the arbitrament of the nation, as expressed through the Parliament just reformed, and taking on that account a wider sweep of the opinions, the judgment, and the reflection of the people, and having invited and invoked that arbitrament, you then, when the judgment of the nation is against you, refuse to abide by the result of that appeal."

The Duke of RICHMOND: My Lords, at this hour and on an occasion like this, when so many noble Lords are anxious to take part in the discussion, I shall detain your Lordships but a very short time while I state the course I am about to pursue; and I am the more induced to ask your Lordships' attention upon this occasion because that course is to me at once a most unusual and a most painful one—for I find myself unable to concur on this occasion in the policy adopted by those with whom I am in the habit of acting at all times with the greatest cordiality. I have sometimes doubted in my own mind the propriety of this course when I find myself at variance with the noble Earl whom I have had the pleasure of following almost ever since I had a seat in this or the other House of Parliament—

(Lord Derby), and when I find myself also not able to agree with my noble and learned Friend (Lord Cairns) who now succeeds in, as I think, a most worthy manner to the leadership of the party of which I have the honour to be a member. On a subject, however, of such great importance as the present, I think it behoves everyone who has a seat in your Lordships' House to weigh well for himself the conduct that he ought to pursue in reference to it, and, having once made up his mind, to carry out that course unflinchingly and without regard to any consequences to himself with reference to his relation to those with whom he usually acts. I am not going to follow the noble and learned Lord who last addressed you (Lord Penzance), because I find it difficult throughout the greater portion of his speech to follow the conclusions at which he arrived; because having proposed to your Lordships various courses which, having put hypothetical cases, he thought might be adopted, he wound up invariably by saying that he found he had come in contact with the impracticable. Therefore, as far as the first portion of his address was concerned, without disrespect to the noble and learned Lord, I think I may be allowed to pass it by. With regard to the Bill itself, there is no one who has a greater objection to it who sees more demerits in the measure itself than I do. I think it was well described by my noble and learned Friend behind me (Lord Chelmsford) as made up of violence, of injustice, and of spoliation. In the first place, I find that the property of the Church of Ireland is handed over at once to three Commissioners named in the Bill. Of those three gentlemen I wish to speak with all respect. One is a noble Lord who sits on the other side of the House (Lord Monck), and though undoubtedly in favour of abolishing the connection between Church and State, yet is a friend to the Church, and I have no doubt will carry out the duties imposed on him with a conscientious desire to do what is right and proper by all parties. Of Mr. Justice Lawson I desire to speak in terms of the greatest respect; and the third Commissioner, a personal friend of my own, and well known to many noble Lords — Mr. George Hamilton — has earned for himself a character for independence and integrity as high as that enjoyed by any of your Lordships. As regards these three Commissioners, therefore, I have not a word to say. But there is this to be considered — These gentlemen are named in the Bill; but if, in the course of time, these gentlemen should resign, or should not carry out the work to the satisfaction of the Government, there is nothing, as far as I can see, to prevent other gentlemen being made Commissioners, whose views might be totally different from the views entertained by the gentlemen who are named in the Bill. The Church fabrics are to be handed over to the Church Body—that is to say, if this Church Body ever exists. I will touch very lightly on this subject, which was gone into so admirably by the most rev. Primate who addressed your Lordships last evening; but I wish to show what objections I entertain to the Bill itself. The glebe houses are to be sold and purchased at prices which may be fair; but it must not be lost sight of that the persons who are to buy the glebe houses and lands will merely be allowed to buy their own property back again. I am not surprised that this interference with property struck even the right hon. Gentleman who introduced the Bill, because there was a remarkable passage in his speech in introducing the measure to the House of Commons. He said, in one short sentence, as if the thought had just occurred to him—"Possibly some persons may think that the Bill I have now the honour of introducing is an interference with the rights of property." I must say I certainly do not recollect any greater interference with the rights of property than is to be found in the Bill now under discussion. Much has been stated at various times as to the vested and proprietary rights that were to be respected in this measure. But there is one set of proprietary rights which appear to me to have been totally lost sight of. The rights of the clergy have been, to a certain extent, looked after; but the rights of the laity, the rights of the congregations are wholly neglected. For several centuries the land has been bought and sold encumbered with rent-charges, and the proprietors of the land and those who depended upon them were, in return for the money so paid, and the rent-charge so fixed, to be continued in the enjoyment of the services of the Church, in which they and their family had been born and brought up. I wish to call your Lordships' attention to the spirit in which the Prime Minister deals with this interest. I think it was in the course of last year that the Prime Minister talked of dealing with the Church property and with Ireland on this subject "in a mild and generous spirit." There is a great difference between theory and practice. I cannot help thinking that the theory of the Leader of the Opposition in 1868 is as different from the practice of the Prime Minister in 1869 as theory and practice generally differ from one another. The right hon. Gentleman referred in the House of Commons to the vested interests of the students connected with Maynooth—I desire most carefully to avoid speaking in any disparaging manner of my Roman Catholic fellow-subjects—I only bring this matter forward by way of illustration — but the Prime Minister said—

> "They are the sons of small farmers and tradesmen. Will you undertake to say that they have not the same title to the consideration of this House as Professors, and Assistant Professors, every one of whose titles we have recognized, and without one word of objection?"—[3 *Hansard*, cxcvi. 327.]

My Lords, I only ask you to strike out the words "students of Maynooth" for a moment, and substitute for them the words "Protestant congregations," and for "Professors and Assistant Professors" to insert "Bishops and clergy," and the passage would run thus—"Many of the Protestant congregations are composed of small tradesmen and farmers, and will you undertake to say that they have not the same right to the consideration of this House as the Bishops and clergy, every one of whose titles you have recognized, and without one word of objection?" I only mention that to show that all vested rights are not considered in the same manner as are those connected with Maynooth. And here I would ask my noble Friend who moved the second reading (Earl Granville) whether he can reconcile part of the Preamble of the Bill with the course which he proposes to adopt in regard to the grant to Maynooth? Because, out of the funds of the Church, as I understand it, a certain sum is to be given to Maynooth, which will amount to I forget how much per annum; but in the Preamble of the Bill there is a paragraph which says that the money taken from the Established Church shall not be devoted to the maintenance of any Church or clergy, or any other ministry, or for the teaching of religion. Now, if the money which is to go to Maynooth comes out of the funds with which the Bill deals, then I say that is at variance with the passage in the Preamble to which I have referred. I have no doubt that my noble Friend (Earl Granville) will explain that discrepancy at a future stage, if it admits of explanation. Dealing as shortly as I have been able to do with the principles of this measure, I repeat that the description given of it by my noble and learned Friend (Lord Chelmsford) was very nearly correct—namely, that it is made up of a great deal of violence, injustice, and spoliation, and I must say that I am not at all surprised that when the ignorant and impulsive peasantry of Ireland see the manner in which the Church is treated by this Bill, they should have hopes—I trust false hopes—that some such measure may be looming in the future with respect to the land. I object to this Bill because it does away with the established religion in Ireland. I think that religion is as much a necessity to a nation as it is to a family, and that the only way in which you can maintain religion for a nation is by having an Established Church. My Lords, entertaining these strong views against this measure, I confess that it has not been without very considerable hesitation that I have come to the conclusion to which I have come—namely, that it is not right to support the Amendment moved by my noble Friend (the Earl of Harrowby), and I am induced to arrive at that conclusion upon two considerations. In the first place, I cannot forget the debates which took place in this and the other House of Parliament last Session. In the other House of Parliament Resolutions were introduced, and lengthened discussions, followed by divisions, occurred upon them. They were carried. Upon them a Suspensory Bill, as it was called, was brought in. The Bill was debated and passed by moderately large majorities in the other House; and it then became the duty of your Lordships to receive and consider that Bill. Having discussed the question your Lordships rejected the measure by a very large majority. My Lords, I cannot bring myself to think otherwise than that one of the main grounds on which that Bill was thrown out by that majority, was that it was urged that in a dying Parliament it was not right to deal with the question; that a new set of electors were about to be called into existence; that if we dealt with the subject then, in a very few months we might be called upon to deal with it again; and, in fact, the question of what is technically termed "disestablishment"—I think there is no word in the English language for it—the disestablishment of the Irish Church, was the subject put before the electors at the last election. I regret that I cannot separate the question of disestablishment from the other portion of this Bill, because I am bound to admit that the question submitted to the electors at the last General Election was certainly not the Bill which we have now under discussion. But, at the same time, if I have to deal with this Bill at all now, I must take it as representing, if I may so say, the great question of disestablishment; and leave the other portion of the measure—which has been imported into it by the manner in which the Government have drawn up the Bill—to be dealt with at a future stage of the Bill, should it receive a second reading. But, I repeat, I cannot bring myself to think otherwise than that the question of disestablishment was the question placed before the country; and that the country, on an appeal being made to them, returned a very large majority of Members to the House of Commons adverse to the Government of which I had the honour to be a member—a majority so large that it is matter of history that that Government immediately resigned Office, and those noble Lords who now occupy the opposite Benches were summoned to Her Majesty's councils; and the question of disestablishment, as apart from the other portion of the Bill—for I wish to keep the two things distinct—has been ratified by the representatives of the nation, by majorities varying from about 110 to 120. That, my Lords, is the first reason which induces me not to accept the Amendment of my noble Friend. But there is a second consideration that weighs with me, which is—what is to happen supposing the second reading is rejected. I think it is very short-sighted policy, and not that which is the result of a statesmanlike view of the matter, merely to get rid of a thing for a moment without looking beyond and seeing what may come afterwards. I appeal to any noble Lords—and I shall be much astonished if they give me an affirmative answer—whether they are sanguine enough to believe that rejecting the Bill on the second reading would be the means of getting rid of the Bill for ever, or for any lengthened period? I confess that if I thought its rejection on the second reading would be the means of burying the measure—if I may use the expression—I would be the first to vote against it, disliking the Bill so much as I do. But it is because I believe that we shall not get rid of it by this process — that the Bill will come back to us sooner or later, and perhaps sooner than a great number of us would like to think—and come back in a condition that it would be very difficult to deal with it in a satisfactory manner, that I should deprecate its being thrown out on the second reading. I know my noble Friend will say—"What is the use of reading the Bill a second time when you cannot amend it?" But I say, if you do not read it a second time you do not intend to amend it. There may be Amendments which your Lordships may think of great importance, which you may have a majority sufficient in this House to carry, and which may materially alter the Bill as it now stands. At all events, there is this to be considered, that if, after altering the Bill as your Lordships may deem right and proper, the measure comes out of Committee in such a form as the majority of your Lordships disapprove and think objectionable, you have always this last resource open, to reject the Bill on the third reading. My noble Friend the noble Duke (the Duke of Rutland) behind me and I disagree most materially on various points; but as I commenced by saying how disagreeable it was to me to differ from so many of my Friends, yet, feeling most conscientiously as I do on this subject, I determined boldly to stand up and state my views. I am one who would throw on the Government the responsibility of refusing a settlement of this question. I say there is nothing so obnoxious, so injurious to the country, as that there should be a continued agitation on any subject whatever; and it is most objectionable of all that there should be continued agitation on religious subjects. I wish to have this question calmly and dispassionately considered in Committee; and if the Government are not prepared to accept the Amendments we think it right to propose, on them will rest the responsibility of the rejection of the Bill and not on your Lordships.

Having made these remarks I would now sit down, but for the subject of which my noble and learned Friend (Lord Cairns) has given notice for Thursday. I had intended to call your Lordships' attention to a letter which has appeared in the papers to-day; but, after the notice which has been given, I think it more respectful to postpone my observations till the subject comes regularly before your Lordships. My Lords, I can safely say that no question, since I had the honour of taking part in public affairs, has given me more anxiety, more consideration, and deeper thought than the subject we are now called on to decide. But, believing as I do, that the issues involved are of such gravity as to supersede all party ties and personal friendships, I have come to the conviction that I ought, on the present occasion, to lay aside all such considerations, being fully convinced, with the most conscientious feelings, that in declining to support the Amendment of my noble Friend, I am taking the course most consistent with the principles of the Constitution, and most in accordance with the dignity of your Lordships' House.

THE BISHOP OF PETERBOROUGH: My Lords, in rising to address your Lordships, I do so with feelings of the very deepest anxiety, and with unfeigned diffidence, owing to my having become so recently a Member of your Lordships' House, and my natural fear, in taking part in so great a discussion as this, that I may, by some careless word of mine, rather damage than advance the cause which I seek to support. Still there is one great encouragement I feel—it is a thought that has been present to my mind all through this debate—that is that I have the privilege of addressing an assembly in which freedom of speech is still permitted to its members. I have heard much, my Lords, since I have had the honour of being a Member of your Lordships' House, and I have read something, about the antiquated prejudices which still haunt it, but which are not to be found in the other House; but among those antiquated prejudices I rejoice to see that your Lordships still retain the notion that a deliberative assembly should be allowed to deliberate. I have no fear, my Lords, at least upon this point—that if the remarks which I venture to make should be distasteful to some of your Lordships, I shall be at least free to make them. I am reminded that your political education is imperfect; but I am glad to find that you have not yet adopted the most recent form of Parliamentary *clôture*, which simply consists in howling down the person who takes the unpopular side in a debate. ["Oh, oh!"] I regret that in the first few words I have spoken I should have called forth expressions of dissent; but I think I am justified in describing what I think I saw and heard in what I do not venture to call another House, but a public meeting in which there were present a great many Members of Parliament.

I have no intention of detaining your Lordships at any length on some of the very minor issues that have been raised in this controversy; and the less so because I am ready to admit that on those points all the strength of the argument lies with the supporters of this measure. I am free to confess that I cannot regard this Bill as a proposal to violate the Coronation Oath. The Coronation Oath seems to me to be the seal of a compact between two parties; and I cannot understand how, because one of the parties appeals to the Divine judgment to punish a breach of the compact, both parties may not agree to an alteration of the compact. In the second place, I cannot regard this measure as a violation of the Act of Union. I regard the Act of Union as a treaty not merely between two Legislatures, the members of which may be, and for the most part are, no longer in existence, but, as a compact, between two nations which still exist, and which have a right to modify the terms of the treaty mutually agreed on between them. Neither can I regard this measure as an attack on private property. I cannot but entirely accept the distinction drawn by the noble and learned Lord last night between corporate and private property. I cannot regard the property of the Irish

Church as private property, because it seems to land me in this absurdity—that it would be a matter of entire indifference what were the numbers of the Irish Church, whether large or small, and as if, instead of 700,000, they were 70,000 or 7,000 they would still have a right to the same property. I therefore willingly accept the noble and learned Lord's distinction between corporate and private property. But I go further—I not only accept that distinction, but I insist upon it upon the very ground on which I entreat your Lordships to be very cautious how the property of the Irish Church is dealt with. It is quite true that corporate property is different from private property. It is not private property, neither, on the other hand, is it absolutely and simply public property in the same sense as property derived from the taxation of the country. Corporate property is partly private and partly public —public in its uses and the conditions on which it is held, and private as regards the persons who are interested in it. This is the reason why it appears to me to be very perilous to meddle with corporate property; because, in its public character, it invites attack, and by its partly private character endangers all private property, if the conditions on which the corporation holds its property be unjustly or unfairly dealt with. And for this reason you will always observe in history that corporate property is always the first to be attacked in all great democratic revolutions. Especially is this so in the case of ecclesiastical corporate property, because ecclesiastical corporations for the most part are very wealthy and, at the same time, are weak. It is easy to find a flaw in their titles; and religious corporations charged with the religious culture of a nation, or of any part of a nation, are always easy of attack because they must always more or less fail, and it can therefore be always alleged that they have failed in the performance of their duty. Therefore I say that ecclesiastical property is always the first to be assailed in revolutions. Revolutions commence with sacrilege and go on to communism; or, to put it in the more gentle and euphemistic language of the day, revolutions begin with the Church and go on to the land. For these reasons—not because the property of the Irish Church is not corporate property—I would ask you to guard it with special jealousy from any attack which may be made upon it.

But, passing from these minor issues in the controversy, I do feel that there are larger and deeper questions at stake than these. I believe that the great question of justice or injustice really underlies the whole of this question. I believe, my Lords, that far below these merely superficial questions of ascendancy or sentimental grievance, or the badge of conquest — I do believe that deep in the English heart lies this great thought above all others—that the Irish Church is an injustice; therefore it must be done away with. I desire to meet this plea fairly and fully; and I desire to say for myself, so lately a member of that Church—and speaking, as I believe I do, the feeling of every member of that Church—that we re-echo the words the Prime Minister used with reference to this Bill; and we say if the Irish Church be less than a justice, then in God's name let it perish. The three great issues that have been raised in this debate, so far as I have been able to follow it, have been, first of all, that this is a question of justice; secondly, that it is a question of policy; and thirdly, that it is in accordance with the verdict of the nation. With all respect, I venture to join issue upon every one of these three pleas. I say distinctly that justice does not demand this measure, that policy does not require it, and that the verdict of the country has not only not gone in its favour, but that, on the contrary, the measure in the greater part of its details seems to me to be in direct and flagrant contradiction to the verdict of the country. In arguing these three pleas I shall endeavour to consider each of them by itself and separately. I shall not attempt to mix them together according as it may suit the exigencies of my argument. Because I observe that in discussing this measure people very often fail to take them alone. We are told, in the first place, that the Irish Church is a grievous injustice, because it possesses property that was wrongfully taken from the Roman Catholics. We try to answer the argument, and endeavour to show that this property was never in the possession of the Roman Catholic Church, and we appeal to the ancient history of the Irish Church to show it. But when we are doing that we are told—"What is the use of this reference to old doctrinal history? It does not matter in the least whether the Irish Church was Protestant or not in the days of St. Patrick; at the present moment it is a mischief and a nuisance, and there can be no pacification of Ireland till we get rid of it." When we turn to the argument of policy, and endeavour to show that the sweeping away the Irish Church will not pacify Ireland, and that it will dissatisfy one part of the Irish nation without satisfying the other —what is the answer? "Oh, we never thought, we never dreamt that this measure would pacify Ireland—we are quite aware it will not; but we must clear our own consciences; it is a high question of justice—*fiat justitia ruat cælum!*" Lastly, when we maintain that this is neither a measure of justice nor a measure of policy, we are told that there is a good deal to be said on that side of the question, but that the time for saying it has gone by; that the verdict of the country has spoken, and we had better submit ourselves to the will of the nation. I will not attempt to imitate that mode of argument, but will take each plea separately. In the first place, then, as to the plea that the Irish Church is an injustice, the arguments used in its support are simply two—One, the great argument of religious equality; and the other, the argument that the Irish Church is the church of the minority. Now, my Lords, as I undersand the argument in respect to absolute religious equality it is this—that the conferring by the State upon one sect in the country any special favour or privilege over other sects is an injustice, inasmuch as no one sect is more entitled to endowment or privilege than another, and that, as special favour is conferred upon the Irish Church, it is a violation of the principle of religious equality. It is no reply, I admit, to say that this principle of religious equality applies equally to England. It is perfectly clear that it does apply equally to England as to Ireland—unless indeed we are ready to perpretate injustice in England because we are strong and Dissent is weak; but that we will not venture to do it in Ireland because we are weak there, and those who differ from the Church are strong. It is, in fact, convenient now to tell us that the principle applies to the English as well as to the Irish Church; but I may remark that it was not quite so convenient to say so last October. I distinctly admit that if the favour shown to any sect be shown for the sake of that sect, and that alone, there is a manifest injustice in the endowment of that sect in preference to others. But I deny that this is the principle of religious Establishments at all. The endowment given to the sect, my Lords, is not given for the benefit of the sect, but for the benefit of the State. It is not with a view to make the sect richer, but to make the State religious. The privilege and the wealth that come to the sect are not the object, but the accident of the endowment. The object of endowment is that, inasmuch as the State has an army to contend against its enemies without, so it has an army to contend against the enemies within of sin, ignorance, and crime; and, when the State selects any one sect in preference to another, the simple question is whether the sect is better qualified than other sects to do the work which the State wants to have done. If that be so, it seems to me that there is no more injustice in the State contracting, if I may use the expression, with an ecclesiastical firm to do its duty of religious teaching than there is in the State contracting with a secular firm to do any secular work which it may require. In both cases there is inequality consequent upon the act, but in neither is there injustice—because it appears to me that to treat equally things that are unequal, is not justice, but the very greatest injustice. The question, therefore, whether injustice is done to one sect by the establishment of another resolves itself into this further question—Is the sect selected better fitted to do the work of the country than the other? Or, in other words, in order to have religious equality you must have equality of religions. What I would ask in the next place is—Are those two rival sects in Ireland equally fitted for the work the State has to do? Your Lordships need not fear that I shall enter upon a theological discussion. I am quite aware that the modern theory of the State is that it should have no religion—a theory to which I am almost a convert after perusing some of the details of this Bill, because it goes very near to assuring me that, whether a State may have a religion or not, it may occasionally forget that it has a conscience. The question as between these two sects is decided by the Bill which I hold, and beyond the limits of which I shall not travel. Why is it that we are not discussing this evening a Bill for "levelling up" instead of one for "levelling down?" Why are we not discussing that which I venture to say would be the most statesmanlike mode of dealing with the question? We have heard from the supporters of the Bill again and again that the reason is that neither the English nor the Scotch people will tolerate the endowment, as they call it, of Popery. What is that but, in other words, to say that the English and Scotch people are so deeply convinced of the inequality of these two religions that, whilst they could endure the endowment of the one, nothing would induce them to listen to a proposal for the endowment of the other. Why, the Bill itself is founded upon the principle of the inequality of the two religions; and so far from it being true that it has been attempted to defend the Irish Church by the No Popery cry, my belief is that it is at this moment about to be destroyed in obedience to that very cry. I go further, and say that this Bill enacts the most flagrant religious inequality—because, if it passes and the Irish Church is disestablished and disendowed, the next thing the Roman Catholics will say to you upon the principle of religious equality will be—"In England and in Scotland the religion of the majority of the people is established and endowed, and in Ireland the religion of the majority is neither established nor endowed; how can you call that religious equality?" What would be the necessary result of such a demand as that? Would it not be that you would come face to face with the very same difficulty in England, and to meet that demand for religious equality you would need either to level up or level down—either to establish and endow the Roman Catholics in Ireland, or disestablish and disendow the Church in England? I say, therefore, that the Bill establishes a principle of religious inequality of the most glaring kind. Then, the next plea is this—we are told that the Irish Church is a great injustice; because the funds which should be the property of the whole nation—a national State fund—have been given to the property of a minority. Well, if that be so, I would ask, why not endow the majority? If the minority are in wrongful possession of the property, why not hand it over to the majority at once? Do noble Lords suppose that until they have done this the majority will really be satisfied? One noble and learned Lord (Lord Penzance) who spoke to-night with a candour which, if I may be allowed to say so, did him high honour, distinctly expressed the opinion—which I respectfully submit to the attention of the Government—that the majority in Ireland will not be satisfied, and will not have justice, until this is done. But I respectfully deny the position that the funds of the majority of the nation are in the possession of the minority. I deny that the Church of the minority possesses funds which ever did belong to the majority. I do not believe that one shilling of tithe rent-charge, or that one acre of glebe land in Ireland ever belonged to the Church of the majority. Tithe was paid for the first time within the pale after the Synod of Cashel, when the Church of Ireland, though the Roman Catholic Church, was the Church of the Anglican minority; and the Ulster glebes were given to the Protestants of Ulster surely at a time when it was distinctly known that the Protestant Church was the Church of the minority. My Lords, I contend that the Church of the minority, standing on the land of the minority, teaching the faith of the minority, paid by the minority, is not guilty of that misappropriation of the funds of the majority with which it is charged. If I may venture to detain your Lordships upon a question closely connected with this, I would ask you how it comes to pass that the greater part of the land of Ireland is in possession of the minority of the people? Because your Lordships may depend upon it that that lies at the root of everything. How comes it to pass, I ask, that the great majority of the landlords of Ireland are Protestants? For the simple reason, which, however, I have not heard alluded to in this debate—because the majority of the Irish people—the Celtic population of Ireland—took the losing side in the 16th and 17th centuries, in the great struggle between Protestant England and the Catholic League of Europe. That was a life and death struggle between the parties; and, unhappily for themselves, the Celtic population sided with the Catholic Sovereigns against their own. The battle was fought out between England and the Catholic League in the terrible manner in which such battles were fought in those days. On the one hand there were the Penal Laws—those infernal Penal Laws, as I will join in calling them, which now excite our indignation; but, be it remembered that, it was by those detestable Penal Laws that the England of those days fought the bulls of Popes that encouraged the assassination of princes. The Penal Laws were not, as some noble Lords seem to suppose, established for the defence of the Church of Ireland. They were passed by English statesmen, in defence of English rule in Ireland; and they would have been passed by the Parliaments of those days with equal harshness and severity, whatever had been the religion of the Celtic population, if that population had risen against the English rule. It was not in defence of the Church, but in defence of English rule, and against the Celtic population, that those detestable laws were passed. Well, then, how stands the case? At the time of the rebellion England confiscated large estates belonging to the Celtic rebels. On nine-tenths of those estates England planted laymen, on the remaining tenth she planted Anglican pastors. Now, I ask this one question—"Was the confiscation of the land of the rebels in Ireland just or unjust?" If it was unjust then undo it all. If, in the name of justice, you are to trace back so far the roots of things in Irish history; if you are to make your resolutions in the sacred name of justice, then in the name of that justice give back to the descendants of those owners the confiscated estates that you took from them. But do not mock them—for it is mocking them—by telling them that Protestant ascendancy is an evil thing. And then, how do you propose to deal with it? By telling them your land is divided into nine-tenths and one-tenth—the nine-tenths in the hands of the Protestant landlords and the one-tenth in the hands of the Protestant clergy—and we propose to satisfy their demand for justice by ousting from the land the one proprietor who is the most popular, most constantly resident, and least offensive, while you retain, in all the bitter injustice of their original tenure, the proprietors who are the most detested, and whose possessions they most covet. Do your Lordships imagine that the Irish people will be satisfied with that? Do you forget that you have to deal with the most quick-witted people in Europe—people whose eyes are intently fixed on this question—and do you think that they will feel other then the most bitter disappointment when you tell them that you are about to tear down the hateful flag of Protestant ascendancy, and they find that you only tear off a single corner of it — or about the fortieth part of the whole? The Irish peasant has already given his answer to your offer of pacification — your pacification consists in refusing him the land, which he does want, and giving him the destruction of the Church which he does not—the Irish peasant writes his answer —and a terrible answer it is—an answer which, I am sorry to say English statesmen in past times have taught the Irish peasant to give—that murder and outrage are a necessary stimulant to the consciences of English statesmen. You tell him you are doing that which will satisfy him; and he writes his answer in that dread handwriting, which it needs no Daniel to interpret, and which so often makes English statesmen tremble; and in that answer he tells you that he will be satisfied with nothing else than the possession of the land—which I do the Members of Her Majesty's Government the justice to believe they have no intention to give. Thus, my Lords, I fear I have very imperfectly, and at greater length than I intended, put before you the question of religious equality, and the possession of the land in Ireland by a minority and the Church of the minority; and I venture to think I have shown there is not that violent injustice either in the existence of the Irish Church or in its possession of property of which we have heard so much.

Next comes the great question of policy. We are told that this is a measure of high State policy, and that it is absolutely necessary for the pacification of Ireland. My Lords, I believe that I am doing the Irish Church no more than justice when I say that, if you could satisfy them of that they would be willing—just as they believe their claims to be—to sacrifice them all, in order to obtain peace for that unhappy and distracted country. But is this really a measure of sound policy? and how should we judge the policy of any measure affecting Ireland? Surely such a measure ought to be a just, ought to be a healing, ought to be a civilizing measure. Let us try this measure by its effects upon those three Irelands—for there are three—with which you have to deal. The noble Earl who introduced this question last evening (Earl Granville) asked the question—"Should we not deal with Ireland as we would be done by?" Had I the honour of following the noble Earl I should have asked, as I now ask—"Which Ireland do you mean?" There is the Ireland of the North and the Ireland of the South. These are two and very different Irelands. But, according to my reckoning, there are three. There is a Protestant Ireland—there are the Roman Catholic peasantry of Ireland—and there is distinct from both, a nation within a nation, owning a separate allegiance—there is the Roman Catholic priesthood. These are the three parties for whom you propose to carry a measure of great State policy. But, in the first place, how will this measure affect the Irish Protestants and Irish Protestantism?—for I do that justice to Her Majesty's Government that I believe they do not desire anything that would be for the real injury of Protestantism in Ireland. No Liberal Government, indeed, could possibly desire it. A Liberal Government and Protestantism ought to be natural allies. Surely at least the alliance between Liberalism and Protestantism is more natural than an alliance between Liberalism and Ultramontanism. Now let us consider the effect of this measure of policy on the feelings of Irish Protestants. Will it have an healing effect on them? My Lords, the Irish Protestants are at this moment giving you their answer as the Irish peasants gave theirs—each after his own fashion. The Irish Protestants tell you that this measure, done at the time it has been done, and with the words by which it was accompanied, has sunk deep into their hearts with a bitter and exasperating sense of wrong which centuries will not efface. It is not only in their judgment at least a harsh and bitter measure, but it has been accompanied by hard and cruel words. One Member of Her Majesty's Goverment has thought it decent and consistent with his duty to tell those Irish Protestants in the hour of their dismay and suffering, when they are reeling under a blow inflicted by the hand of England upon our most faithful and loyal fellow-subjects—I say, one Member of Her Majesty's Government has thought it decent and becoming to tell us—"We have offended a clique, but we have conciliated a nation." My Lords, these words will rankle long in the hearts of these people. They say that, having been ever the faithful and devoted servants of England, and staunchly upholding the authority of this country at a time when she sorely needed it, you are now about to cast them off without even a kind word of gratitude for old deeds of service and faithful and devoted loyalty. They are sorely and naturally irritated. They tell you you have effectually repealed the Union by this measure. Although you may not have violated the Union by it, it repeals the Union by turning every Unionist into a Repealer without turning a single Repealer into a Unionist. That is the utterance of the Protestants of Ireland, and, of course, it is highly improper; it is very wrong indeed for them to speak in this very unbecoming way. It is very unnatural that they who believe, rightly or wrongly, that you are taking their religious endowments from them, should speak words which savour somewhat in their anger of disaffection. At the same time, we are told it is the most natural, proper, and righteous thing for the Roman Catholics of Ireland, who believe you took the religious endowments from them 300 years ago, to refuse to be loyal until you give those endowments back. Well, my Lords, this is the effect of this measure at this moment in the minds of the Protestants of Ireland. But we are told this is but a passing and momentary irritation, and that after a while the Protestants of Ireland will be filled with the deepest gratitude to Her Majesty's Government for the favour which has been bestowed on them and their faith. We are told in words full of all manner of glowing metaphor of the wonderful benefit this Bill is to bestow on Ireland. We are told we are assisting at something like a launch of the Irish Church, and not its wreck; and that a number of affectionate, faithful, and earnest volunteers are engaged in knocking away the shores to let the ship out upon the open sea. Foremost among those volunteer shipwrights are some members of the English Church, admirable vicars and other dignitaries, all full of a generous anxiety to bestow on their rev. brethren in Ireland that measure of apostolic poverty which they show no particular affection for themselves. My Lords, if these most rev. and very rev. clergymen and gentlemen, who are so generously exhorting the Irish clergy to swallow, even without a wry face, the potion prepared for them by Her Majesty's Government, will have the kindness to do what nurses do to children, and just take the least sip of the potion, their views on the subject, I cannot help thinking, may undergo some change. But we must treat more seriously this argument of apostolic poverty, and the power of the voluntary principle in the case of the Protestants of Ireland. We are asked, when we dread the consequences of this measure—Have we lost our faith in Christianity; and whether we are going to insult the Protestants of Ireland by saying that their Church will not survive, even when it is disestablished and disendowed? We are reminded also of what is rather a truism—that an Establishment is not its endowments. Of course not, any more than a man is his purse; but to deprive a man of his purse may have an uncomfortable and unpleasant effect not only on his moral but on his spiritual nature. This argument of apostolic poverty has this peculiarity, and that is, that often as I have heard it used by laymen of the clergy, I never heard a layman who remembered that the flocks of the Apostles were as poor as the Apostles themselves. What is so conducive to the spirituality of the clergyman may be equally conducive to the spirituality of the layman. We are told that Christianity in the first three centuries succeeded admirably without endowments, and we are asked why does it not do so at the present day? But Christianity succeeded admirably in the first three centuries without printing presses and telegraphs. Why then does it not do so now? Suppose this were a Bill to deprive the Irish clergy for the future of the privilege of printing or reading books; and when they complained of the injustice, were to be told that the Apostles conquered the world without a printing press or a steam engine. The argument is as good in the one case as in the other, and it proves simply this — that, Christianity having obtained the great fruit of its victories over the world, there is no wisdom or sense in asking Christianity to surrender those fruits and give up its conquests in order to begin afresh and fight the battle over again. We are reminded that Christianity is Divine. It is Divine; and for the very reason—that I believe it to be a Divine gift, given like all Divine gifts, upon its own conditions—for this very reason do I fear for the nation that rejects this Divine gift or does it dishonour. If the union between Church and State be really the highest ordeal of the existence of Christianity in the world—and it remains to be proved that it is not—if this were part of the intention of the Divine Founder, then the separation of Church and State places each upon a lower level and in a worse condition for their respective works in God's world than each would occupy if united together. Then I am reminded that the Protestants of Ireland are wealthy, and that it insults them to suppose that they will not support their Church on the voluntary system. But who is it that tells us that the Protestant landlords are wealthy, and will be able to provide ministrations for their poorer tenantry? On the back of this Bill stands the name of the distinguished statesman who tells us it is his wish that we may remove these Protestant landlords from Ireland and replace them by a Roman Catholic tenantry. I say it is impossible that these two things are compatible. Does that distinguished statesman imagine we can believe that these two things are compatible? If he does, I can only say—and I will quote his own words—that then, without the previous degradation of being made a Bishop—at least, such a Bishop as is made in these degenerate days—he must have an infinite fund of faith in the credulity of his fellow-countrymen. And now let me ask how this question will work socially? Her Majesty's Government appear to have immense confidence in the force of the voluntary principle in the minds of the Protestant landlords; and yet it is a strange thing that they cannot trust the Protestant landlords to provide for the lunatics, and the deaf, and the mutes. We all know there are men who will relieve temporal distress when they will not relieve spiritual distress; and yet we are to believe that the Protestant landlords, deep as is their love for their faith, are so curiously constituted that they will be most willing to provide for the spiritual needs of the poor labourers on their estates, and utterly unwilling to provide for their temporal needs. But, supposing this measure is carried, what will be its real social effect? It will be one of two things. The landlord is to be obliged to provide for himself under this Bill religious ministrations, while he continues to pay the whole rent-charge which he undertook upon the faith of having religious ministration provided. Now, what will he do in this case? Possibly he may provide himself with a chaplain; he may have a tame Levite about his house. He may provide himself in some such fashion as that; but when he gets dissatisfied with the ministrations of that humble spiritual servant, or grudges the cost of his keep, what will he do? He will come to England, where he would find those ministrations furnished without any cost whatever—so that the direct effect of this measure would be to promote absenteeism. But if he remain on his estate his direct interest is to increase the number of the Protestant tenantry on his estate—because every fresh one lessens the burden of supporting these spiritual ministrations; and thus if the landlord remains it leads to religious evictions, and this by way of pacifying Ireland. What character will the Protestantism of Ireland assume under this measure? What will be the quality of the religious ministrations? I was very much struck with an anecdote, told with great eloquence by the present Prime Minister, on that memorable tour of his in Lancashire—a story which he told more than once, and which he seemed to consider of great importance. It was a story—I cannot vouch for its truth—I mean no imputation whatever upon the veracity or even upon the careful accuracy of the Prime Minister. I merely guard myself, because I am aware that the truth of the story which no doubt was supplied to him has been questioned. But, so far as my argument goes, the truth or error of the story is altogether immaterial. The story was, that there was a certain clergyman in the North of Ireland whose parishioners insisted on placing Orange flags on his church, in opposition to his wishes and against his protest. The Prime Minister said—"There you see what the Protestant Establishment of Ireland does." And so I say. The Protestant Establishment produced in that case a clergyman who, because he was established and endowed, was more liberal and more tolerant, and was enabled to be more liberal and tolerant, than certain members of his flock. But what is the effect which this measure will have? It rewards this clergyman—this suppositious clergyman we will say—for his loyalty and his tolerance, by proceeding to disestablish and to disendow him, and then to make him entirely dependent on a very intolerant flock, who are represented as using his church as a place for religious and party emblems—you make him dependent on them for his daily bread. This is to convert the future clergymen of Ireland into fanatics, almost in spite of themselves, and as the price of their daily food. How many itinerant lecturers of a political kind does the right rev. Prelate think will be found in Ireland five years after the passing of this measure? The absolute necessity of each clergyman to gather the sheep out of his neighbour's fold—if he is to have any fleece at all—which this would induce would be likely to promote anything but amity and concord. So much for the effect of the measure upon Protestants. What is to be the effect of it upon the Roman Catholic peasant? You impoverish the people by removing the Protestant landlord; you place upon him a double and heavy burden; you throw upon him the sustenance of the ministry; you take away the rent-charge, and remove that elevating and civilizing influence exercised by the more highly-educated Protestant clergy—by these various means you are leaving the Roman Catholic peasant in Ireland to sink down into deeper darkness. Then, as regards the Roman Catholic priesthood of Ireland, I have not a word of disrespect to speak of them; and if I had it is not in this place that I should speak it, but in their presence. I speak, as far as possible, of the Roman Catholic priesthood as I should speak of the priesthood of our own Church. Destroy the Irish Church Establishment to please the Roman Catholic priest and—human nature is human nature still—there may be a feeling of gratified rivalry in his mind. But the Roman

Catholic priest firmly believes that the property you are taking from the Established Church, but which you refuse to give him, is his. He believes the rights of his Church to be indefeasible. *Nullum tempus occurrit Ecclesiæ.* In the name of religious equality—the very name of which he utterly abhors, and which is utterly unknown to the genius and history of his Church—you take property which he believes to belong to his Church, and divert it to other purposes, and then you profess to expect that he will be satisfied! Then as to the land and education questions, which now disturb Ireland. You must necessarily have the Roman Catholic priest against you. The Roman Catholic priest is a peasant by birth, and—to his honour be it said—remains a peasant in his sympathies, which are with the peasantry in this matter of land; and bribe him as you may—and it seems to me a very coarse bribe—bribe him with the destruction of the Church, I believe you will find him true to the last on this question of land, and that you will not secure him as an ally in dealing with this question. Then, as to the question of education. An alliance between the Ultramontanists and a Liberal Government on this question is quite impossible. You will have increased the fanaticism of all these religious sects; you will have set them still more strongly against each other; you will find that you have not produced paradisiacal amity by compelling a resort to paradisiacal scantiness of dress; and you will find that these various bodies will not strike up eternal friendship when they find that you have despoiled each of them in turn. It is a sad thing to see that the minds of English statesmen seem still to move in the same sad unhappy groove in matters that relate to Ireland; their principle seems to consist only in successive confiscations. England confiscated the property of Ireland at the bidding of a Pope at a time when the inhabitants of that country were designated by the King as the "beastly Irish." The policy of confiscation was again carried out during the reign of the Stuarts and of Cromwell; and now, in the reign of Victoria, the last device for regulating Irish affairs, to be found in the repertory of English statesmen, is another confiscation, but, my Lords, with this difference—that, whereas, in those days England confiscated the property of the disloyal and rewarded the loyal, in these days she proceeds to mend matters by confiscating the property of the loyal to reward the disloyal.

If I may still venture for a short time to trespass on your Lordships' attention, I would ask one question more. I would ask whether this measure—unjust and impolitic as I believe it to be—does really satisfy the verdict of the nation? We are told that this measure is imperatively demanded by the verdict of the nation. I think I may take some exception to this phrase, "verdict of the nation," as applied to the decision at the hustings. It seems to me that the duty of the voters at the hustings is not to pass laws, but to choose legislators. It is, in my opinion, rather tending in a revolutionary direction to talk of the hasty and impassioned verdict at the hustings as the deliberate verdict of the nation. I should rather call it the empanelling the jury which is to give the verdict. ["Hear, hear!"] I thank the noble Lords on those Benches for reminding me by their cheers. I should have thought that that jury consists not only of those empanelled at the hustings, but also those who have an hereditary right to sit in this place, and that the verdict of the nation is really the verdict of the three Estates of the realm. Then, my Lords, I might take further objection to this verdict on the ground of the arts by which it has been obtained. Speaking of matters which are within my own knowledge, I do not hesitate to say that in the whole history of fiction there has been nothing to equal the persistent—I might say the malignant—exaggerations that have been circulated through England for years past with respect to the Irish Church. I believe the minds of people have been poisoned and influenced by these representations, and exception may fairly be taken to a verdict obtained by such means as these. But I am willing, for one, to accept the verdict of the nation, when that verdict has been completely and distinctly ascertained. Nay, more, I should be one of the first to implore your Lordships to carry that verdict out in this Bill. Now, my Lords, the verdict of the nation was given on four issues—on disestablishment—on partial disendowment—on absolute impartiality as regards all religions—and on large generosity and kindness in dealing with the Irish Church. As regards disestablishment, I distinctly recognize the fact that the nation has pronounced—and, I believe, irrevocably pronounced — for the disestablishment of the Irish Church; much as I grieve and lament the fact, I have no wish to affect ignorance of it: but if I were an Irish clergyman, in the present state of relations between the Government and the Irish Church the circumstance would not greatly distress me, because it seems to me that the Irish Church has reached that point when the State has become irreconcilably hostile to the Church, and it is for her profit and credit that she should be relieved from that which, once a source of strength and honour to both, is hereafter to be looked upon as a cause of weakness and distress. I cannot say that as an Irish Churchman I should feel sorry for such a result. I should not like to see the freedom, or rather the want of freedom, of the Irish Church left in the hands of a Government consisting of men who, however honourable, and who, personally, however pious and religious, had yet declared themselves implacably hostile to that Establishment. But what was the verdict of the nation that was taken on the question of disendowment? I will venture to make use of one quotation, and but one. It is from the speech of the noble Duke who, I believe, is the very last man to shrink from the force of any words which he may have used—the Duke of Argyll. Speaking on the 29th of June last year, the noble Duke said—

> "There is a great distinction between disendowment and disestablishment, and it was not without a set purpose and deliberate and careful intention that the word 'disendowment' was avoided and 'disestablishment' was inserted in the Resolution. That course was adopted for the very good reason that, as far as I know, no human being proposes to disendow the Established Church altogether. . . . Nobody has ever proposed to deprive the Church of endowments derived from private benefactions. But more than this. Under the scheme sketched by Mr. Gladstone the Church is to be left in possession of the churches and parsonages and of some land adjacent, so that it could not, in perfect strictness, be said that the Church under that scheme is to be wholly deprived of its endowments. Besides, it is at the option and discretion of Parliament to what extent disendowment shall go. . . . Therefore those Members of the house of Commons who voted for that Resolution are perfectly free to vote for any sort of compromise in respect to the endowment of the Church."—[3 *Hansard*, cxciii. 173.]

From this language it was clear that Members of the House of Commons were perfectly free to vote for any sort of compromise in respect of the endowments of the Church. I hope your Lordships will bear in mind the effect of these words—especially so far as they relate to the question of disendowment. On this issue the verdict of the nation was taken; and when persons read declarations like this, and others conceived in the same spirit, they believed that what was intended was not disendowment but only partial disendowment. I must reject a compromise carried out in a manner so different from that which such promises led us to expect. How was this question dealt with in the other House of Parliament? Every attempt to obtain the slightest benefit for the Church—every attempt to get anything beyond vested interests, which are no endowments at all—was met with the expression of kindly disposition, ending in a positive refusal. The answer was—"We should be very glad to do this if we could do it; but it would be against the principle of the Bill, which goes to total disendowment."—Again, my Lords, when a small recognition was asked for servants, whom this Bill dismisses at a moment's notice —when requests of this kind were made, even by Members who were supporting the Bill, there was the same reply—"We should be glad to do it, but the principle of the Bill is against it." I confess, my Lords, that when I remember these things, I feel some doubt in respect of the admirable advice given last night by the most rev. Primate. I have not the least doubt as to the wisdom of his Grace in suggesting the Amendments to which he referred; but I have considerable doubt as to whether there is any chance of our inducing the Government to accede to those Amendments, when I find that, in direct contradiction to the verdict of the nation, Amendments moved in the other House were rejected, not on the ground of any unkindly feelings, but on ground that they were against the principle of the Bill.

My Lords, there was another point on which that verdict was taken. When this question was before the country the country was told that the Irish Church should receive "gracious and generous" treatment—that was, that the treatment should be equitable and indulgent. But, my Lords, the measure which on the hustings was described as "gracious and generous" has since been described in "another place" by a Member of the Government as "harsh, sweeping, and severe." Again and again, I believe, the nation was told that the measure was to be "gracious and generous;" but that description of it has been repudiated by a member of the Cabinet, who has said —"Government does not affect to be generous; it could not be generous with other men's money." On the hustings the Government said—"We mean to be generous—we intend to be kind." In the other House they have said,—"We do not affect to be generous; we do not intend to be indulgent." I ask whether it would be possible to put in words a more distinct and emphatic contradiction of the verdict of the country. Time does not admit of my going through all the harsh and cruel—I believe unintentionally harsh and cruel—details of the Bill. There is the way in which the clergy are treated in respect of the glebe houses and lands. It is alleged that the money which they spent on these glebe houses they were compelled to spend by a law of the Church. That is an error. They were not compelled to spend that money by a law of the Church, nor could the laity compel them to spend it. The matter was one between the Bishops and the clergy. Again, under this Bill, the Church Commissioners will obtain money for the repair of glebe houses which they cannot apply to that purpose. Then there is a deduction for a tax which the clergy paid to the Ecclesiastical Commissioners; but that tax went towards small benefices and the repair of churches. There is generosity! But I shall not weary your Lordships by going through details which, should the Bill ever go into Committee, I shall have occasion to bring before your Lordships in regular order. I may, however, observe that the Bill is harsh and cruel in those provisions by which rectors, curates, and the Church Commissioners will be brought into triangular entanglement. It deals harshly with the curates in respect of their prospects of preferment. It deals harshly with vergers and other persons now employed in the churches, but who may be turned out without a moment's notice. It pinches something here and extracts something there in a shabby and niggardly way. In the magnificent peroration to the speech by which this Bill was introduced in the other House —a peroration which must still ring in the ears of those who heard it—its distinguished author spoke of the spectacle which England would present to the civilized world when she came to perform this magnanimous act of justice and penitence. What a magnanimous sight! The first thing that this magnanimous British nation does in the performance of this act of justice and penitence is to put into her pocket the annual sum she has been in the habit of paying to Maynooth and to compensate Maynooth out of the funds of the Irish Church. The Presbyterian Members for Scotland, while joining in this exercise of magnanimity, forgot that horror of Popery which was so largely relied on and so loudly expressed at the last elections in Scotland. They have changed their mind, on the theory that a bribe to Popery is nothing if preceded by plunder of the Protestant Episcopacy. Putting two sins together they make one good action. Throughout its provisions this Bill is characterized by a hard and niggardly spirit. I am surprised by the injustice and impolicy of the measure, but I am still more astonished at its intense shabbiness. It is a small and pitiful Bill. It is not worthy of a great nation. This great nation in its act of magnanimity and penitence has done the talking, but has put the sackcloth and ashes on the Irish Church, and made the fasting be performed by the poor vergers and organists. I object to this change altogether; but if it was to be made, there could have been a more statesmanlike and generous mode of making it.

My Lords, there is one other point on which the verdict of the nation was distinctly taken. It was stated to the country that, in dealing with this subject, there should be perfect impartiality. It was written as it were in letters of iron that the principle of religious equality would be perfectly carried out. I ask your Lordships to consider whether in dealing with Maynooth and in dealing with the Irish Church there has been real impartiality? I believe there has not been; I believe that the mode in which they have been dealt with is far from being impartial. There is another matter of great importance. It was promised that with the funds of the Irish Church there should be no endowments, no payments to the ministers of another religion, no provision for the religious teaching of persons of another faith. It appears to me that the Bill is in direct contradiction of that pledge, because it proceeds to give the surplus to lunatics, deaf mutes, and other fit recipients of a nation's charity. The Prime Minister said in "another place" that the deaf mutes would get "training and instruction." I now ask whether this "training and instruction" for deaf mutes, which of course they are to receive in educational establishments, is to be religious training and instruction; because if it is to be irreligious, I venture to say there will be no desire for it. The Irish people, being only imperfectly civilized, and having some barbarous prejudices in favour of religion, are not anxious for that boon of purely atheistical education which some persons are desirous of having generally adopted in this more civilized and less barbarously prejudiced country, England. If the training and instruction of those deaf mutes is to be religious, it will be given by the priests. If the training and instruction is not to be religious, the ministers of religion will protest against it, and they will be right in so doing. Then, my Lords, I want to know how you are to deal with these institutions—where there is religious instruction there must be chapels and ministers for giving that religious instruction—I want to know how these chapels and ministers are to be maintained without a money payment—that is to say, without applying the surplus funds of the Irish Church towards the payment of ministers and for the teaching of religion. It seems to me, therefore, that this Bill, by proposing to appropriate these funds to religious teaching, violates the verdict of the nation; and that having in its Preamble declared that nothing shall be given to religious instruction, it does proceed to apply the surplus funds of the Irish Church to the purposes of religious instruction.

And now, my Lords, I have to conclude an address which I am certain has extended to an exceedingly wearisome length, and I cannot sufficiently thank your Lordships for the very generous kindness and patience with which you have listened to me. I am afraid that what I had to say was unacceptable to many of your Lordships, and to those noble Lords I must especially tender my thanks for the courtesy they have extended to me.

The Bishop of Peterborough

My Lords, I have but one or two more words to say. I will say but a few words, my Lords, about the menaces and the warnings—the mixed menaces and warnings—which have been addressed to your Lordships' House by many without, and so far, at least, as warning is concerned, by some within. My Lords, I myself have been told that I should be very heedful of the way in which I may vote on this question, because none may say what will be the consequences to your Lordships' House—to the fate of your Lordships' Order, and to the great interests of the country—of the vote you are about to give. My Lords, as far as menaces go, I do not think that it is necessary that I should say one word by way of inducing your Lordships—even if I could hope to induce you to do anything by words of mine—to resist those menaces. I believe that not merely the spirit of your Lordships, but your Lordships' high sense of the duty you owe to the country, would lead you to resist any such intolerant and overbearing menaces as those which have been uttered towards you. I believe that if any one of your Lordships were capable of yielding to those menaces you would be possessed of sufficient intelligence to know how utterly useless any such humiliation would be in the way of prolonging your Lordships' existence as an institution—because it would be exactly the case of those, who, for the sake of preserving life, lose all that makes life worth living for—it would be an abnegation of all your Lordships' duties for the purpose of preserving those powers which a few years hence would be taken from you. Your Lordships would then be standing in this position in the face of the roused and angry democracy of the country, with which you have been so loudly menaced out-of-doors, and so gently and tenderly warned within. You would then be standing in the face of that fierce and angry democracy with these words on your lips—"Spare us, we entreat and beseech you! spare us to live a little longer as an Order is all that we ask—so that we may play at being statesmen, that we may sit upon red benches in a gilded house, and affect and pretend to guide the destinies of the nation and play at legislation. Spare us, for this reason—that we are utterly contemptible, and that we are entirely contented with our ignoble position! Spare us, for this reason—that we have never failed in any case of danger to spare ourselves! Spare us, because we have lost the power to hurt any one! Spare us, because we have now become the mere subservient tools in the hands of the Minister of the day—the mere armorial bearings on the seal that he may take in his hands to stamp any deed however foolish and however mischievous!" And this is all we have to say by way of plea for the continuance of our Order. My Lords, I do not believe that there is a Peer in your Lordships' House, or anyone who is worthy of finding a place in it, who could use such language or think such thoughts; and, therefore, I will put aside all the menaces to which I have referred. For myself, and as regards my own vote, if I were to allow myself to give a thought to consequences, much might be said as to the consequences of your Lordships' vote to your Lordships' House and to the Church which I so dearly love; and I, a young member of your Lordships' House, fully understand the gravity of the course I am about to adopt, and the serious consequences that may attach to that vote; but, on the other hand, I feel that I have no choice in the matter—that I dare not allow myself a choice as to the vote that I must give upon this measure. My Lords, I hear a great deal about the verdict of the nation on this question; but, without presuming to judge the conscience or the wisdom of others, and speaking wholly and entirely for myself, I desire to remember—and I cannot help remembering—this; that there are other and more distant verdicts than the verdict even of this nation—and of this moment—which we must, everyone of us, face at one time or another, and which I myself am thinking of while I am speaking and in determining upon the vote I am about to give. There is the verdict of the English nation in its calmer hours—when it may have recovered from its fear and its panic, and when it may be disposed to judge those who too hastily yielded to its passions; there is the verdict of after history, which we are making even as we speak and act in this place, and which is hereafter to judge us for our speeches and for our deeds; and, my Lords, there is that other more solemn and more awful verdict which we shall have to face! and I feel that I shall be then judged not for the consequences of my having made a mistake, but for the spirit in which I have acted, and for the purposes with which I have acted. And, my Lords, as I think of the hour in which I must face that verdict, I dare not—I cannot—I must not—and I will not—vote for this most unhappy, this most ill-tried, this most ill-omened measure that now lies on the table of your Lordships' House.

EARL DE GREY AND RIPON: My Lords, I cannot rise to address your Lordships on the subject of the Bill before you without expressing my admiration of the powerful speech to which we have just listened. But, my Lords, I am at least as firm in my convictions of the justice of this measure as the right rev. Prelate (the Bishop of Peterborough) can possibly be of its injustice; and I shall endeavour, to the best of my ability, to address myself to the arguments which seem to me to answer those put forth by him. But, in the first place, I must assure the most rev. Primate (the Archbishop of Dublin), who spoke earlier in the debate, that it is far from my intention to use any harsh terms in reference to the past history of the Irish Church, and that nothing shall fall from my lips other than what is respectful towards the clergy of that Church. The right rev. Prelate (the Bishop of Peterborough), in discussing the grounds on which this Bill is supported, assumed, that as the Government are in favour of absolute equality among all religious denominations in Ireland, they are opposed to all Establishments whatever. But nothing certainly has fallen from any of those have addressed your Lordships on behalf of the Government in reference to this Bill which justifies the suggestion of the right rev. Prelate. What we feel upon the question of abstract religious equality is this—when you have a Church established which teaches the faith of a small minority of the people, and when you are not prepared, in Ireland as in England, to establish the Church of the majority, you have no thing to do but to fall back on the principle of religious equality. There is the greatest difference between the position of the Established Church in England and the Established Church in Ireland, and that difference is fatal to the continuance of the latter. The right rev. Prelate referred to the objection always raised against the Irish Church, that it is the Church of a minority, and on this head I was much struck by the charge which he brought against the supporters of the Bill of stepping conveniently from one argument to another. He defended the possession of State endowments by the Church of the minority, and relied for that purpose upon an historical argument. I am not going back into the question whether St. Patrick was a Protestant or a Roman Catholic, though I doubt very much whether the best modern historians and antiquarians would support the view taken by the right rev. Prelate. He says it is natural that this property should belong to the Church of the minority, because the Synod of Cashel gave tithes to the Church of the Pale, which was also the Church of a minority —that is to say, because one injustice was done in Ireland centuries ago, another injustice is to be continued in our own day. It has been, indeed, the misfortune of Ireland that for long centuries she has been governed in the interests of a minority, and that her Church Establishment has been in accordance with that policy. But men have happily awakened to sounder views of what is just and right, and the policy which the Government is now pursuing has for its object to give effect to those sounder views. The right rev. Prelate came down to the time of the Penal Laws, and spoke of them, I will admit, in terms of condemnation; but I could not help thinking that there was even in that language some little echo of a policy with which I, for one, cannot sympathize. He reminded us that there had been in Ireland a series of confiscations, and he passed from the question of Church property to the question of property in land; and he seemed to have cast aside and disregarded the warning given last night by my noble and learned Friend the Master of the Rolls of the great danger which there is in telling the Irish peasants that Church property and private property rest upon the same basis. The right rev. Prelate even went the length of contending that the owners of Church property were the most popular, and the owners of private property the least popular of the holders of land in Ireland. To me it seems that the question is not one of the land at all, but a question of human souls—one far higher than any considerations of a material character. The true answer to the speech of the right rev. Prelate as to the sanctity of property in the hands of the Church of a minority is that the Church only numbers among her followers twelve persons out of every 100 in Ireland, and that for a Church so situated to possess all the honours, all the privileges, and all the advantages of an established and endowed Church is an injustice to the nation. I am sure that your Lordships would not, for a moment, think of establishing a Church under such circumstances in the present day; and sure I am that Queen Elizabeth, the great Sovereign who established the Protestant Church in Ireland, when she took that step never meant to establish the Church of a small minority. What she meant was that the Church should be the Church of the nation. She hoped and expected, undoubtedly, that the same thing which had happened in England would occur in Ireland also, and that the religion which she had adopted would likewise be embraced by the people in that country. Having spoken of the intentions of Queen Elizabeth, I cannot avoid the inquiry how that Church has fulfilled the mission thus entrusted to her. I will state no opinions of my own, but I will appeal to what noble Lords opposite, no doubt, will accept as sufficiently authoritative—I will appeal to the description given last night by the right rev. Prelate (the Bishop of Derry) who concluded the debate last night. What did he say? Why, that the Church had christianized and watched over, not the people of Ireland as a whole, but her own people—that was to say, one-eighth of the people of Ireland; and as to the other seven-eighths, what had she done? Why, she had promoted among them a knowledge of science and literature, and that though she was not able to offer the fruit of the true vine to the people, she would at least feed them with its barren leaves? Is that the description of a Church which has fulfilled her high mission? The right rev. Prelate (the Bishop of Peterborough) asks—When you speak of Ireland which Ireland do you mean? Why, of course, the only Ireland that the Queen's Government can ever know, the Ireland of the whole of the Irish people. "Justice to Ireland" means justice, not to any sect or party, but to the Irish people as a whole. And not only has the Established Church in Ireland failed to carry out the great mission entrusted to her by Queen Elizabeth, but her influence over the Irish people in place of increasing has diminished. During the times of penal legislation, some 100 years ago, according to the best evidence that we can obtain the proportion of Protestants to Catholics in Ireland appears to have been as 1 to 2. At the present moment I believe it is as 1 to 4. The right rev. Prelate repeated the expression of those fears which have been uttered before in this House and "elsewhere"—that if the Church be disestablished and disendowed, in many parts of Ireland she will probably cease to exist. Can this be so? Is it likely that with seven-eighths of the land in the hands of Protestant owners there is any real cause to fear that the Church will cease to exist in Ireland? To say so is a libel on the Protestants of Ireland. We were told last night that we had no right to quote in answer this objection the case of the Roman Catholic Church in Ireland; or to say that if that Church can be supported by the voluntary offerings of her adherents, so can the Protestant Episcopalian Church of that country. It is urged that the Roman Catholic Church, with her doctrines of purgatory and the mass, appeals to the imagination of her followers in a peculiarly powerful manner. I do not doubt the power of the Roman Catholic Church in appealing to the imaginations of men; but I confess that I have yet to learn that the Protestant faith cannot appeal to the reason and the heart of man at least as powerfully as the Roman Catholic faith appeals to his imagination; and I cannot allow that there is any good ground for the fear that if the Irish Protestant Church be disestablished she must disappear from the face of Ireland. Penal Laws, coercion, and State patronage and support have each in turn been tried in that country on behalf of Protestantism, and yet you find that the Protestants there are a small minority. Is it unreasonable to say that you may possibly find that when that Church is presented to the Irish people, without the trappings of the State, and without the recollection first of conquest, then of coercion, and lastly of ascendancy, which encumber her, she may be able, by the simple majesty of the truth which she teaches, to win their affection and conquer their belief? Much has been said as to the effect which this Bill might have on the Established Church in England; and on that point I would merely say that I admit that there may be some danger to the Established Church in England in connection with this question; but that danger does not appear to me to arise from the provisions of this Bill, but from the pertinacious attempts of those who are opposed to it to bind together indissolubly the case of the two Churches. The noble Earl who moved the Amendment (the Earl of Harrowby) spoke a good deal of the Liberation Society, and tried to make out that the overthrow of the Establishment in Ireland was only the forerunner of an attack upon the Church of England. I do not deny that there exist in this country persons who conscientiously believe that every Established Church is an evil, and who are very active in propagating that opinion; but I ask, what is their best and favourite weapon? It is the Irish Church, the injustice of her existence, her past history, the means by which she has been supported; and, my Lords, it will, indeed, be a danger for the Established Church in England if your Lordships should succeed in enabling the Liberation Society to tell the country that it is necessary for the continued existence of the English Establishment to retain the Irish Establishment. Wrest, my Lords, from the hands of the Liberation Society their best weapon, and then, I believe that, for long years, the English Establishment will be safe. For what can be more different than the position of the two Churches? The Church of England numbers among her members, I believe, an absolute majority of the people of England, or, at all events, a far larger portion of that people than any other sect in this country; her ministrations are accepted by men of every class; she is ready and able to bring home those ministrations to the poorest and most suffering inhabitants of the land—the greatest and most important function of an Established Church; and those classes gladly accept her consolations—she is instinct with life and strong in the affections of the people. In Ireland you have established a Church of the minority; a Church of the rich and not of the poor; a Church whose ministrations the poor reject, not because they disregard religion — for the Irish are a deeply religious people—but because they are attached warmly and firmly to the faith of their fathers. I can conceive of no circumstances more different than those of the two Churches. Consequently, it seems to me to be dangerous, indeed, and most unjust, that you should persistently endeavour to unite the English Establishment, full as it is of life and vigour, and strong in the affections of the people, with her dying sister, who has failed to win the sympathies of the nation. With regard to the question of the verdict pronounced by the country at the hustings on this weighty matter, I should be ready, my Lords, to rest the case upon the able speech of the noble Earl who generally sits on the cross-Benches (Earl Grey) and the able and manly argument of the noble Duke who addressed us to-night (the Duke of Richmond). It appears to have been admitted by every speaker in this debate, except, perhaps, the noble and learned Lord who has left the House (Lord Chelmsford) that permanent opposition to the measure is hopeless, and that the time must come when, if this Bill should be submitted to your Lordships it would become your duty to pass it. The noble Earl who moved the Amendment (the Earl of Harrowby) said he quite admitted that the resistance of your Lordships to the opinion of the country could not wisely be of a permanent character. Then I ask your Lordships to consider, and consider carefully, when, in your judgment — supposing you should reject the second reading of this Bill—the time will have come for you to accept the decision of the country upon it. I would ask you, for what are you going to wait? The right rev. Prelate, who spoke last night, seems to suggest as one of the reasons for not passing this Bill that no mobs had declared in its favour, and that there was no excitement in the country respecting it. Would you then wait until you have large and excited mobs assembling, as was the case in regard to the Reform Bill of 1832? I think this a most dangerous argument, and one on which I need waste little time. Your Lordships would commit a most serious mistake if you should refuse to pass this Bill until it is demanded by large and excited mobs. Her Majesty's Government have been content to rest their claim as to the approval of this Bill by the country upon the verdict constitutionally given at the last General Election. This is sufficient proof, in our opinion, that the judgment of the nation has been pronounced on the principle of this measure. I do not pretend, any more than noble Lords opposite, that the judgment of the country has been pronounced upon the details of the Bill. Charges have been made—not in this House, but "elsewhere"—of the arrogance of the Government in regard to Amendments proposed in this measure; and it has been studiously and industriously circulated that there is no use in your Lordships reading the Bill the second time because you will have no power to amend it. On that point I have only to repeat the assurance given last night by my noble Friend the Secretary of State for the Colonies, that any Amendments to the Bill which may be proposed in this House will receive, as they ought to receive, the respectful consideration of the Government. But it appears to me that if any charge of arrogance is to be brought in this matter, the charge does not lie against Her Majesty's Government, but against those who counsel your Lordships to reject this Bill on the second reading, and who would thus deprive those who desire to alter it of all power of proposing their Amendments. My Lords, I will not at this late hour trespass longer on your attention. For the reasons I have stated I earnestly trust that your Lordships will read this Bill a second time, with a view to address yourselves carefully to the consideration of the various important questions it involves. I advocate this Bill, because I believe that the disestablishment and disendowment of the Irish Church are necessary in order to relieve the Irish people of a real and substantial grievance. I do not pretend to say that after all that has passed—after the long years of misgovernment, of Penal Laws, and proud ascendancy — this measure will remedy at once all the grievances of the Irish people; but I am confident that it will be hailed by the great mass of the Irish people as a proof that the Government and the Legislature are prepared to deal with them in a just and equal spirit; and I have no doubt that, when the heat of these discussions has passed away and the verdict of future generations, to which the right rev. Prelate appealed to-night, has to be pronounced, surprise will be expressed—not that the Parliament of England should have been at length roused to a sense of the anomaly and injustice of the present ecclesiastical arrangements in Ireland, but that that system, so unparalleled and so grievous, should have been suffered to exist so long.

THE EARL OF CLANCARTY: My Lords, your Lordships, I trust, will scarcely respond to the appeal of the noble Earl who has just sat down (Earl de Grey and Ripon) to give a second reading to this Bill, seeing that the arguments upon which you are called upon to do so —principle, policy, and the verdict of the country—were most completely demolished by the speech of the right rev. Prelate who preceded him. Rising at this late hour, I shall trouble your Lordships with but few observations; but, as a member of that proscribed communion, the Protestant Church in Ireland, which Her Majesty's Ministers have denounced as an offence and an injustice to my fellow-countrymen, the Irish people, and with which the State is, by the Bill under consideration, to repudiate henceforth all connection and sympathy, I am desirous to say a few words in its vindication, ere, holding as you now do the fate of that Church in your hands, you pronounce the verdict by which it is to stand or fall. I listened attentively to Her Majesty's Ministers when yesterday they introduced this Bill to the House, to learn what there was in it to recommend it for acceptance. The noble Earl the Secretary for the Colonies, passing very lightly over the principle of the measure, went at once, and with his wonted ability, into its details, which chiefly had reference to the distribution of spoils of the Church; but with pain I heard him say, with reference to his having charge of the Bill, that he was proud of the charge committed to him, and would earnestly adhere to the principle and main provisions of the Bill. Did the noble Earl consider that among its main provisions was a clause to deprive of their seats in this House four members of the Episcopal Bench—men with whom he had been wont to take counsel, and whose share in the deliberations of the House had ever been worthy of the highest respect? Is he proud of a Bill that is to deprive the Protestants of Ireland of the provision that has been for centuries by law secured to them of the ministrations of a Protestant clergy? Or does he feel pride—surely not—in that provision of the Bill by which a pecuniary gain of about £80,000 a year is to be obtained for this wealthy country out of the plunder of the Irish Church, by casting upon that fund the burden of the *Regium Donum* and the Maynooth Endowment hitherto charged upon the Imperial Exchequer? I certainly heard nothing from the noble Earl to commend the Bill to the acceptance of your Lordships. To the speech of the noble Earl the Secretary of State for Foreign Affairs I listened with great regret. His views this year are very much changed from what they were last year. He then said—"I understand this to be a Bill for the disestablishment of the Church and nothing else"; and he so warmly eulogized the character and ministrations of the Protestant clergy, which his long residence in Ireland had enabled him to appreciate, that his speech certainly left an impression that he was no ill-wisher to the Church; but now he is for disendowment as well as for putting an end to its connection with the State, expressing a confidence he cannot feel, that the Protestant landlords of Ireland, who would still be subject to the payment of the tithe rent-charge, would, out of their private resources, re-endow and maintain the Protestant Church on the voluntary principle. If such a measure were practicable in Ireland, a poor country, how much more suitable would it be for this very wealthy country. In the course of the debate frequent notice has been taken of the Coronation Oath, but I think its importance has not been duly estimated. On the other side of the House it seems to be deemed a matter of no importance whatever, or, at most, as a compact which the will of the people may at any time set aside. Now, my Lords, on this subject I take a very different view; and I must express my decided reprobation of the course taken by Ministers, of introducing into Parliament a Bill to which your Lordships cannot advise that the Crown should assent without asking Her Majesty to do the very reverse of what, before God and in presence of her people, she bound herself to do at her Coronation. To anyone who will compare the Preamble of this Bill with the language in which the Coronation Oath is couched, it will be apparent, not that the Bill is constructively inconsistent with the Oath, but that it has been drawn up in terms and for purposes the most at variance with it that could be chosen, and seemingly in direct defiance of the most solemn obligation accepted by the Sovereign, to the utmost of her power—

> "To maintain the laws of God, the true profession of the Gospel, and the Protestant reformed religion established by law, and to maintain and preserve inviolably the settlement of the United Church of England and Ireland."

By the Bill before the House all this is to be reversed; the United Church of England and Ireland, instead of being preserved inviolate, is to be dissolved, and the true profession of the Gospel and the Protestant Reformed religion established by law, instead of being maintained, is to be disestablished and disendowed; and the sacrilege of confiscating the property of the Church, consecrated from time immemorial to the service of God, is aggravated by special provision that no part of it is to be applied to the teaching of religion. Your Lordships and the Members of the House of Commons have been relieved from all oaths that might appear in any way to fetter your discretion in legislation; but the Monarch has not been so relieved. The two Houses have the right to frame and advise upon whatever laws are to be made; but it rests with the Queen, as supreme head of the Legislature, to enact them, or, in the exercise of her constitutional Prerogative, to withhold her Assent from them, if she feels it her duty before God, to whom alone she is responsible, to do so. Are we, then, knowing the terms of the Oath she has taken, to advise her to act in any manner that we believe to be at variance with it, and should we be bearing to her that true allegiance we have so lately promised at the table of this House, if we were to offer her counsel that we could not ourselves conscientiously follow, if we were under the same circumstances similarly bound? My Lords, there is a strong feeling on the public mind regarding the Coronation Oath, that it will be violated by the proposed legislation. This was strongly expressed by a resolution at the recent meeting at Manchester, and it ought not to be disregarded; and I must add that it is my own opinion, as I believe it to be that of many other Members of this House, that Her Majesty's Ministers and the House of Commons have in this Church Bill strangely ignored the very solemn obligation by which the Sovereign became personally, no less than constitutionally, bound by the Oath she took at her coronation. I am aware that the doctrine is held by some that the Oath does not bind the Sovereign in the legislative, but only in the executive capacity; by others that it is the recognition and establishment of a compact between the Queen and her people; but that the latter, represented by the two Houses of Parliament, can at any time release her from it; by others, again, the doctrine of the Parliamentary leaders in the time of Charles I. has been revived, that the Sovereign must assent to whatever new laws the two Houses of Parliament have agreed upon. The latter doctrine, so derogatory to the Sovereign, is probably not held by many, and may be disposed of in the words of Hallam, the historian, who calls it—

> "A doctrine as repugnant to the whole history of our laws as it was incompatible with the due subsistence of monarchy in any more than a nominal pre-eminence."

The doctrine advocated in the early part of this debate by a noble and learned Lord opposite, of a dispensing power in the people to release the Sovereign from the obligations of the Coronation Oath, as from a compact made in their behalf, is a recognition that the Oath has a bearing upon the work of legislation, but the dispensing power claimed for the people is one that, unless provided for in the terms of the Oath, or in the statutes relating to it, few who admit the sanctity of oaths could recognize. But if such a power does exist, in the present case it has not been exercised, so that if this Bill should become law, the Queen would continue, as at present, solemnly engaged to maintain a Church Establishment that had ceased to exist. Then, with regard to the doctrine propounded by the noble Earl opposite in the early part of the Session, in answer to a question put to him, that the Oath does not bind the Monarch as a legislator, however convenient it might be for those that desire to reverse the principles of the Revolution of 1688, which were the foundation of the liberties of the country, thus to break down a defence of the Constitution, otherwise insurmountable, it is not to be inferred from, or found in, the wording of the Oath, nor in the statutes relating to it. It was never so understood by Her Majesty's predecessors, nor is such a doctrine sanctioned; but it is rather plainly contradicted by the recorded opinions of such men as Blackstone, De Lolme, Burke, Kenyon, Eldon, and the late Sir Robert Peel—authorities that on a great constitutional question could not be gainsaid. If, therefore, upon no other ground than that of the known obligations of the Crown, I should feel coerced to vote against the further progress of the Bill. But what, my Lords, is the ground upon which this Bill is proposed? What the indictment against the Irish branch of the Established Church? It is denounced as an offence, an injustice, a grievance to the majority of the Irish people. What are the evidences adduced in support of such a charge? We have certainly not heard any in the course of this debate, in which, however, there has been no lack of assertion in some of the speeches made on the other side, and must, therefore, look back to the grounds stated for the introduction of the Bill of the last Session, which was the inauguration of this great party movement against the Church. Little was then stated by Ministers in either House of Parliament beyond the expression of opinion. Mr. Gladstone, indeed, in introducing the Suspensory Bill, quoted in support of his policy a passage from a Petition he had presented from a congregation in Pembrokeshire to the effect—

> "Your petitioners are convinced that the maintenance of the Protestant Establishment in Ireland is a manifest injustice and constant source of irritation, and a great hindrance to the reception of the Protestant faith by the Irish people."

It is not clear to me that this congregation in Pembroke could be much better, if so good, witnesses upon the question than Mr. Gladstone himself. But what evidence did Ireland itself send forward? All that was submitted to your Lordships was a declaration purporting to be from the Roman Catholic laity of Ireland, denying that they did not feel aggrieved by the present ecclesiastical settlement of Ireland. This Paper, which was printed by Order of the House of Commons, might have been entitled to much weight, from its names and numbers, if it could fairly have been called a declaration of the Catholic laity of Ireland; but I find that it has little more than 900 names attached to it, which, admitting that they are all names of men of education, and for the most part of the higher ranks of society, is but a small proportion—not one in 4,000—of the reputed amount of the Roman Catholic population—namely, 4,000,000; and it would rather argue that the Church, so far from being generally considered a grievance by the Irish people, is not so regarded by more than an extremely small number; and this may be further inferred from the absence of the names of most of the higher class of Roman Catholics; for instance, out of the whole number of the Judges who are, in such large proportion, members of the Church of Rome, there is the name of but one Judge; and from the most Roman Catholic county in Ireland, the county of Galway, there is not the signature to it of the head of any of the six first families in that county. Respectable names to it there undoubtedly are—for instance, foremost among them are the names of noblemen and gentlemen, not long ago members of the Established Church, some of whom, I am aware, with their new-born anti-Protestant zeal, took some pains to procure signatures; but among them is the name of the right hon. W. Monsell, a Member of the present Government, who, shortly before this great party movement against the Church, is thus reported to have expressed himself in the House of Commons, on a Motion for a Committee of Inquiry—

> "He disclaimed any desire to overthrow the Established Church in Ireland; that could not be accomplished without a revolution, and he was not prepared to face a revolution for such an object."—[3 *Hansard*, clxxi., 1766.]

So much, my Lords, for the only evidence adduced from Ireland in support of this anti-Church policy. The noble Earl opposite, indeed, in moving the second reading of the Suspensory Bill, referred to the Fenian insurrection as a principal reason for its introduction, as a measure of a remedial and conciliatory character; but, most certainly, whatever may be the faults of the misguided men who join the Fenian movement, they never, as Her Majesty's Government have done, attempted to wrong or injure the Protestant clergy, nor, although Roman Catholics, did they ever evince hostility to the Protestant Establishment. The noble Earl and his Colleagues have earned nothing of acknowledgment or respect from Fenians, Irish or American, by their proposal to sacrifice the Protestant Church. Whatever the shortcomings of that Establishment have been—and I do not deny that it stands much in need of improvement—there is no evidence to be found of its being an injustice, an offence, or in any way a grievance to the Irish people. Evidence of an opposite kind may be abundantly produced, showing that there exists on the part of the Roman Catholics generally a very kindly feeling towards the clergy, and on the part of the most liberal-minded of the higher classes a feeling in favour of the Protestant Establishment, as a guarantee for the maintenance of the liberties of the country. I will not trouble your Lordships with more than is necessary. One short passage from a great Roman Catholic Petition may suffice to show what was their feeling before the Emancipation Act. The Petition is recorded in Sir Henry Parnell's book on the Penal Laws. They say—

> "We solemnly and conscientiously declare that we are satisfied with the present condition of our ecclesiastical policy. With satisfaction we acquiesce in the establishment of the national Church. We neither repine at its possessions nor envy its dignities; we are ready to give upon this point every assurance that is binding upon man."

This Petition, I believe, gave rise to the formation of the Roman Catholic Oath in the Relief Bill. Some years after the passing of that Bill, a Roman Catholic gentleman of the highest eminence, a Privy Councillor who had been selected, on account of the high respect in which he was universally held, to fill the office of a Commissioner of National Education—I mean Mr. Anthony Blake—thus expressed his views of the Established Church—

> "The Protestant Church is rooted in the Constitution; it is established by the fundamental laws of the realm; it is rendered, as far as the most solemn acts of the Legislature can render any institution, fundamental and perpetual. It is so declared by the Act of Union between Great Britain and Ireland. I think it could not be disturbed without danger to the general securities we possess for liberty, property, and order, without danger to all the blessings we derive from being under a lawful Government and a free Constitution. Feeling this, the very conscience which dictates to me a determined adherence to the Roman Catholic religion would dictate to me a determined resistance to any attempt to subvert the Protestant Establishment, or to wrest from the Church the possessions which the law has given it."

The Earl of Clancarty

The opinion that Mr. Blake expressed is that, I believe, of every independent Roman Catholic gentleman at the present day. The feelings of the humbler classes are, in the vast majority, adverse to the overthrow of the Church. They respect the Protestant clergy, from whom they meet with nothing but kindness, and who, since the tithe question was settled in 1838, have never been brought into collision with them. I know that many of them have signed Petitions with their Protestant fellow-countrymen in favour of the Church; and a Petition from Clones, signed exclusively by Roman Catholics, was lately presented against the Disestablishment Bill. But even better testimony in the Church's behalf is to be found in the speeches of two Ministers of the Crown. When last year its disestablishment was first proposed, Mr. Gladstone's testimony is this—

> "It is, in my opinion, an exaggeration to make the Irish Established Church in its present form responsible for the great grievances of ascendancy and of national estrangement in Ireland."—[3 *Hansard*, cxci. 477.]

Again, after speaking of the vices and evils of the Establishment during the last century, as described by Burke, he says—

> "But those days have gone by. Between the beginning of this century and the year 1830 there was a great revival of piety and zeal among the clergy, and great improvement in the Ecclesiastical Laws of Ireland; but by the year 1830, which was about the date when you had for the first time a zealous and active clergy in Ireland, they found themselves unhappily involved in the tithe warfare. This difficulty was taken away when the Tithe Commutation Act was passed in 1838. During the thirty years that has since elapsed, what have we had in Ireland? the clergymen pursuing his vocation in perfect tranquillity, and without an external barrier of any kind to impede him; in the second place, a clergy claiming, and well earning, the name of an able, a zealous, and pious clergy."—[*Ibid*, 483.]

Such is the testimony of Mr. Gladstone to the character of the Church. What says the other witness, the Earl of Clarendon, who had peculiar opportunities of personally judging of the clergy of Ireland? He said, in the debate on the Suspensory Bill—

> "I have not lived so long in Ireland without having learnt to appreciate the signal virtues of the Irish clergy. I know there are exceptions, but still the conduct of the clergy, as a body, is most exemplary. To the extent of their small means, they are very charitable; they are not distrusted by their Catholic neighbours, and their removal from their parishes would give cause for great regret."—[3 *Hansard*, cxcii. 2086.]

I think there is no need of further witness, and the question naturally arises, Why should the Church be put down? No one has questioned the purity of its doctrines; its ministers stand well with the people, and are looked up to as men of piety and exemplary Christian character, and whose removal from the sphere of their labours would be cause of much regret. The answer, I regret to say, is that the purposes of party had to be served at the late election, and the cry of "Pull down the Church" was therefore made the watchword of party. It was successful, and unhappily the sentence for the overthrow of the Church has, in consequence, gone forth from the newly-elected House of Commons. The decision there come to reminds me strongly of a tribunal of Ribbonmen, by whom Mr. Stewart Trench, an extensive land agent in Ireland, was, some years ago, condemned to death. That gentleman had given him in charge the management of several large absentee estates in the centre and South of Ireland. His employers, desirous at the same time to improve their estates and the condition of their tenantry, gave their agent the means of dealing in the most liberal manner by the occupiers of land; but his proceedings being found to interfere with the agrarian code of the Ribbonmen, he became obnoxious to them, and was, in consequence, condemned to death. Mr. Trench, happily, was enabled to outlive the conspiracy of which he was to have been the victim; and, in a book he lately published, entitled *Realities of Irish Life*, a work of considerable interest, I read this short but graphic account he was enabled to give of his trial from the confession of one of the men that undertook his murder—

> "The house where the trial took place was a large barn, in which was placed a long table. Forms were arranged for seats for fifteen or sixteen persons, and plenty of whisky was supplied by a barefooted girl in attendance. The president or judge sat on a chair at the head of the table. The party drank for some time in silence, and speaking to one another only in whispers, and when all were well steeped in liquor, the president, with a curious leap over the whole accusation and prosecution, and even the name of the accused, all of which the jurors were supposed to understand, broke silence for the first time, and said aloud, 'Well, boys, can any one say anything in his defence?' There was a short silence, when one of the conspirators said—'He gave me an iron gate.' 'May your cattle break their necks on it,' replied the president. 'He gave me slates and timber to roof my house,' said another. 'May the roof soon rot and fall,' replied the president. 'He drained my land,' said another. 'May the crop sour in the heart of it,' replied the president. 'He gave a neighbour of mine wine for a sick child,' said another. 'The child died,' said the president. All were silent again. 'Guilty,' said the president; 'boys, he must die, and now let us draw lots for the one that will do it.' 'There is no occasion,' said one of the jurors; 'the men to do the job are here, and both ready and willing.'"

There is a remarkable analogy between the trial of Mr. Trench, before the Ribbon tribunal, and that of the Irish Church in "another place." In the former, a man who was admittedly a benefactor, and against whom no charge was brought, is condemned to death. In the latter, the Church, whose doctrines are unimpeached, whose beneficent action is generally acknowledged, whose ministers are men of piety, zeal, and charity, and whose removal from their parishes would be a source of regret, is arbitrarily doomed to destruction. In each case the word of one man is at once responded to by his obsequious followers. In each case the executioners are at hand to carry out the sentence of the court. The men were at hand to undertake the murder of the human victim; a majority of 114 in "another place" presses for the destruction of the Irish Protestant Church, which now looks for safety in the justice of this House. Mr. Trench was, in God's providence, enabled to baffle the efforts of his intended assassins, and has lived to see them and the population before under their influences become a changed people, industrious, thrifty, and loyal. May the Church, in like manner, be spared; and, instead of being doomed to destruction, or any longer misunderstood and wronged, may it receive at the hands of the Parliament and people of England every legitimate support in furtherance of the objects of its institutions—namely, to elevate the national character of the Irish people through the teaching of Gospel truth, and the inculcation of the great principles of Christianity. I pray your Lordships to withhold your consent from a measure which would for ever forfeit these blessings, and induce in lieu of them all the evils of a revolution.

VISCOUNT MONCK: My Lords, I have strong feeling on the subject of this Bill, but shall not make many observations at this late hour of the evening. I confess that I was rather startled by what was said by the most rev. Primate last night with reference to the few observations which fell from me on the first night of the Session on the subject of the Canadian Church. He was pleased to say that he was astonished, considering the information he had received respecting the condition of the Canadian Church, at the triumphant tone of my observations respecting it. Now, I was not aware that my tone on that occasion was particularly triumphant. I merely said that my experience of the working of the Church in Canada had confirmed my previous impressions with reference to the soundness of the voluntary system. To show that I was not without some grounds for that opinion, I will venture to quote to your Lordships a Return which I obtained from the several Bishops in Canada before I left the country last autumn, showing the increase in the number of the clergy in their respective dioceses within the last ten or twenty years. The voluntary system came into operation in Canada, in 1854, and I hold in my hand a return of the number of clergy in each of its dioceses in the years 1850, 1860, and 1868; but, without troubling your Lordships with the details of the numbers in each diocese, I may state that the aggregate number of the clergymen in the whole of them was, in 1850, 203; in 1860, 318; and in 1868, 419; so that in the space of eighteen years the number of clergymen in the dioceses of Canada has more than doubled. If that state of things does not justify the adoption of a triumphant tone in reference to the condition of the Canadian Church, I do not, at all events, think it furnishes any ground for the picture which the most rev. Primate drew of that condition. In addition to the Return from which I have quoted, I hold in my hand letters from the Bishops of different dioceses in Canada, and I will, with your Lordships' permission, read an extract from a letter which I received from the Bishop of Montreal, which is, I believe, one of the very last he ever wrote. He says—

> "Our diocesan Synod was organized and held its first meeting in June, 1859, and I consider that the much greater increase in the number of the clergy since that time has been owing to the influence of the working of the Synod, and the interest excited and knowledge diffused among the laity, who come up from all parts to attend as delegates. The increase in the contributions in money for the support of the Church has also been very encouraging."

In a letter which I received from the Bishop of Toronto, he says—

> "There have been within the last five years fourteen new churches built, varying in cost from 1,200 dollars to 12,000 dollars, and costing, in all, at a moderate computation, 45,600 dollars. There have been expended on the erection of twelve new parsonages within the same period, 14,000 dollars. There have been subscribed in this diocese during the last four years towards the formation of an episcopal endowment in money and lands 45,000 dollars. All the above is exclusive of the annual contributions to the Church Society."

I do not think that this shows that the condition of the Church in the diocese of Toronto is very deplorable. The Bishop of Ontario says—

> "I am indulging in the hope that you are preparing some statistics with a view to the Irish Church question. I have succeeded, at all events, in stimulating inquiry in Ireland as to our method of sustaining the Church in Canada, and have been alternately abused and commended for my suggestions. I deprecate disestablishment, but do not dread it. What I both deprecate and dread is constant reforming by Parliament. After a few more reforms there will be little left to fight about or commute."

I did not rise to make a speech, but I wished to lay these facts before your Lordships. I should have stood up at the moment to reply to the most rev. Primate had the opportunity presented itself, but I did not expect that the remarks which were made two or three months ago by so humble an individual as myself would attract any observation, and not having the necessary information by me at the time I was not able to make the statement which I have now ventured to offer to the House.

The further Debate on the said Motion adjourned to *Thursday* next.

House adjourned at One o'clock, A.M., to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 15*th June*, 1869.

MINUTES.]—Public Bill—*Committee*—Bankruptcy (*re-comm.*) [123]—R.P.

The House met at Two of the clock.

LOSS OF THE "MARQUESS OF ABERCORN."—QUESTION.

Sir JOHN HAY said, he wished to ask the Secretary to the Board of Trade, Whether any investigation is to take place into the causes of the loss of the steamer "Marquess of Abercorn?" She had been run down by a ship belonging to the same owner, without loss of life, and consequently no coroner's inquiry or action at law would result.

Mr. SHAW LEFEVRE, in reply, said, the Board of Trade had come to the conclusion that it is not necessary to investigate into the causes of the loss of this steamer by collision in the Irish Channel. It is not usual for the Board to institute inquiry where there has been no loss of life, as there is usually full investigation in the courts of law. In this case the vessels belonged to the same owner, but as the cargoes belong to different owners, there will no doubt be the usual investigation.

BANKRUPTCY (*re-committed*) BILL.

(*Mr. Attorney General, Mr. Solicitor General.*)

[BILL 97.] COMMITTEE.

[*Progress* 11*th June.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 91 (Avoidance of voluntary settlement.)

Amendment proposed in Clause 91, page 33, line 41, to leave out from the word "shall," to the words "such settlement," in page 34, line 4, inclusive, and insert the words—

"Or a settlement made on or for the wife or children of the settlor of property which has accrued to the settlor after marriage in right of his wife, shall, if the settlor becomes bankrupt within two years after the date of such settlement, be void as against the trustee of the bankrupt appointed under this Act, and shall, if the settlor becomes bankrupt at any subsequent time within ten years after the date of such settlement, unless the parties claiming under such settlement can prove that the settlor was at the time of making the settlement able to pay all his debts without the aid of the property comprised in such settlement, be void against such trustee" — (*Mr. Rathbone.*)

instead thereof—

Question proposed, "That the words 'shall if the settlor becomes bankrupt within two years after the date of such settlement,' stand part of the Clause."

Mr. MORLEY said, he had a clause of a somewhat analogous character, but, as he believed the Attorney General was prepared to concur in the present clause, he should not press his clause. He (Mr. Morley) believed that the acceptance of this clause would be most acceptable to all the Chambers of Commerce in the Kingdom.

Amendment *agreed to.*

Mr. HERMON *moved*, in page 34, line 4, after "settlement," insert "and unless such settlement shall have been duly registered within three months of its being made, in the same manner as a bill of sale or judgment bond."

Mr. JESSEL complained that commercial men, in considering this question, seemed utterly oblivious of everything but the creditor, and reminded hon. Members that social considerations should enter into their reasoning on the matter. The Amendment, if carried, would require that every man in the country would have to disclose the particulars of his marriage settlement.

Mr. HERMON observed that his Amendment referred only to post-nuptial settlements.

The SOLICITOR GENERAL believed that the Amendment was unnecessary after the one which had just been agreed to.

Mr. MORLEY supported the clause, and expressed his belief that if the existence of settlements were better known, tradesmen would not give so much credit. He had that morning received a letter from Bristol illustrating the wrong that was sometimes perpetrated with these settlements. A solicitor and colliery proprietor in Wales made, previous to marriage, a settlement binding himself to trustees to pay to them £500 on the birth of each child. He had six children—£3,000 worth—and subsequently becoming bankrupt, the trustees stepped in, proved for £3,000, and cut out all the other creditors.

The ATTORNEY GENERAL said, he wished particularly to avoid any conflict with the Chancery lawyers, but he would consider the subject, and if he thought it feasible he would bring up a clause on the Report.

Mr. Alderman LAWRENCE said, he considered the matter a very simple one. There could be no doubt that great fraud was at present perpetrated under pretext of settlements.

Amendment, by leave, *withdrawn.*

Mr. RATHBONE *moved,* page 34, line 5, before "settlement," to insert—

"Any covenant or contract made by a trader, whether before or after marriage, for the future settlement or payment of property or money upon or for the wife or children of such trader, shall upon his becoming bankrupt before such property or money has been actually transferred or paid, be void against his trustee appointed under this Act; and any settlement made by a trader after marriage in pursuance of a covenant or agreement made before and in consideration of marriage shall be filed in the manner provided in the case of bills of sale by the Bills of Sale Act, 1854, and in default shall be void against his trustee appointed under this Act; but the provisions of the Bills of Sale Act, 1866, as to the renewal of registration, shall not apply to such settlements as last aforesaid."

Mr. HINDE PALMER said, he was afraid that the Amendment would be rather unfair in certain cases to the wife and children.

Mr. DENMAN said, it often happened that a man engaged in a risky trade or profession went to an attorney and told him that, as he might become bankrupt any day, he wished to make over, say £10,000, to his wife and children by a post-nuptial settlement. That system of fraud was at the present moment going on to an immense extent, and he thought the Committee were all agreed that it ought to be put down. He did not understand why the discussion was now re-opened.

Mr. HINDE PALMER said, he thought that the clause would be too extensive with this addition. He suggested that it should be qualified by the words "unless the bankruptcy took place within a certain time," say ten years.

Mr. Serjeant SIMON trusted the Attorney General would adhere to his original intention.

The ATTORNEY GENERAL said, that after listening to the remarks which had been made in the course of the discussion, he had become satisfied that the clause deserved further consideration.

He would carefully re-consider it before the Report was brought up, and, under the circumstances, he trusted his hon. Friend would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clauses 92 to 99, 102 to 111, 113 to 117, inclusive, *agreed to.*

Clauses 100, 101, 112, *struck out.*

Clause 118 (Forfeiture of dividends after six years non-claim).

Mr. Alderman SALOMONS objected to the provision under which a creditor failing to claim a dividend for five years forfeited it to the Crown. If the dividend were forfeited at all, surely the other creditors, and not the Crown, should have the benefit of the forfeiture.

Mr. AYRTON said, there was at present in the hands of the Crown, which had been received as unclaimed dividends in the hands of official assignees, no less a sum than £1,000,000 sterling, and which the Crown held until they should be claimed. The object of this clause was to collect all such sums as might be scattered over the country by the operation of the Bill, to be held by the Crown until they were claimed.

Mr. MORLEY said, the objection was to the word "forfeited" in the clause. He would rather not have to satisfy a Lord Chancellor as to any claim that might be disputed.

Clause *agreed to.*

Clauses 119 to 125, inclusive, *agreed to.*

Clause 126 (Regulations as to liquidation by arrangement).

Mr. RATHBONE moved, in page 42, line 22, after "may," to insert "after a petition has been presented against him;" his object being to put a stop to a system of private compromise which had arisen of late years, and was most destructive to the morality of the country. He had the opinion not only of the commercial, but the legal gentleman of Liverpool in favour of the proposal.

Mr. MORLEY opposed the proposal. The Chambers of Commerce of the country, with the exception of that of Liverpool, were unfavourable to the Amendment. While in the years 1866, 1867, and 1868 the property realized through the Court of Bankruptcy amounted to only £2,165,000, that which was paid by means of private arrangement amounted to £25,270,000; and while the dividend paid through the Court of Bankruptcy was almost nil, under these private arrangements there was paid in 1867 nearly 6*s*., and in 1868 nearly 7*s*. in the pound. In his opinion the course to be taken ought to be determined by the creditors themselves.

Mr. HERMON opposed the Amendment, thinking that it would not have any beneficial effect.

Mr. RATHBONE said, his hon. Friend (Mr. Morley) misunderstood the object of the Amendment. He did not require that the man should be adjudicated a bankrupt, but only that a petition should be presented; then a meeting of creditors might be held, and the whole estate might be taken out of bankruptcy and managed as easily as before. His object was to provide that there should be no secret arrangements.

Mr. G. GREGORY said, he wished to supplement the returns of the hon. Member for Bristol (Mr. Morley) by reference to the dividends of estates under composition and bankruptcy. Taking 10*s*. in the pound as the standard, out of 8,000 estates in bankruptcy only fifty-seven paid 7*s*. 6*d*. to 10*s*. in the pound, while out of 9,000 compositions, 390 paid 10*s*. in the pound. This showed the advantage of composition over bankruptcy. A very large amount of property was, indeed, realized under composition. True the saying was that "all rubbish went into bankruptcy." He should propose a series of clauses, continuing composition by deeds, and embodying the powers of the Acts of 1861 and 1868, giving the creditors facilities for entering into composition, providing that the deeds should be registered and accompanied by a declaration of the number and names of the creditors who should sign the composition. He was willing to adopt any other precautions, such as enacting that preliminary to the composition there should be a meeting of the creditors, and that a balance-sheet should be prepared and laid before them. This was indeed the ordinary course at present. He feared that as the Bill stood it would no longer give the friends of a bankrupt a motive for assisting him by endeavouring to keep his name out of bankruptcy.

Mr. WEST said, he thought it might be necessary to take greater precautions in these clauses, such as increasing the publicity of the arrangements. It might also be provided that there should be a public meeting of the creditors, so that these arrangements might not be entered into by written engagements.

The ATTORNEY GENERAL said, he could not support the proposal of the hon. Member (Mr. Rathbone). Some hon. Gentlemen would not allow any arrangement to be made between a bankrupt and his creditors without full publicity being given to it, whereas his hon. and learned Friend opposite was of opinion that no publicity was necessary, but that the arrangements should be made in the same manner as hitherto. For his own part, he wished to protect the minority of the creditors as far as they ought to be protected; but at the same time he had no desire to expose the bankrupt to greater publicity or inconvenience than was necessary. This clause, he might add, had been very carefully drawn up, and steered a middle course between the two extremes.

Sir ROUNDELL PALMER pointed out that if the clause remained alone in the Bill it would produce an important alteration in the present law, and would in effect abolish compositions altogether. The arrangement would be just the same as bankruptcy, with these three differences: first, it apparently allowed the committee of inspection to be dispensed with if the creditors so pleased; secondly, it allowed the audit by the Comptroller to be dispensed with if the creditors so pleased; and, thirdly, it took the case out of the operation of the discharge clause of the Bill, which depended upon the payment of 10*s*. in the pound dividend, and it enabled the creditors at a general meeting by a majority in number and three-fourths in value to give or refuse the discharge on any terms they pleased. He did not know whether the mercantile world were prepared for the abolition of all kinds of compositions of a more elastic sort.

Mr. RYLANDS said, he hoped the Amendment would be pressed, or, at all events, that the Attorney General would afford a larger amount of publicity than the Bill provided for.

Mr. NORWOOD suggested that the Attorney General should alter the clause, so as to give full power to the creditors to make any arrangement with the debtor, provided it should be registered, so that it could not be kept secret.

Mr. HINDE PALMER said, he did not think the proposal of the hon. Member for Liverpool (Mr. Rathbone) exactly met the want with a view to which it was designed. He trusted the Committee would allow the clause to stand as it was, because it seemed to be most carefully framed.

Mr. MORLEY utterly demurred to the Amendment, because it meant bankruptcy in cases in which it was desired to save a debtor's property, and allow him to pay a composition and carry on his business. Under the Act of 1868 no deed of arrangement was valid unless it was advertised in the *London Gazette.* That, therefore, secured publicity.

The ATTORNEY GENERAL said, he was prepared to meet the views of the hon. Member for Bristol (Mr. Morley) and others, by inserting words to give the trustee power to accept composition not subject to the review of the Court; but there must be a meeting of creditors and the appointment of a trustee, and the bankrupt's property must be vested in the trustee, so as to prevent any clandestine arrangement that the bankrupt should keep part of his property from his creditors.

Mr. RATHBONE said, the difference between him and the hon. Member for Bristol was that the hon. Member had a great objection to call things by their right names. What it was sought to prevent by the Amendment was, not people being called bankrupts, but people becoming insolvent and combining fraudulently to prey upon the public. He should not be able to carry the Amendment against the opinion of the Attorney General; but he hoped that power would not be given to a majority of creditors to hush up matters which might be as disgraceful to them as to the debtor, and that the Attorney General would rather strengthen than weaken the clauses which demand a certain amount of publicity.

Mr. W. FOWLER said, that if a trustee must sell the property, that was not liquidation by arrangement as the term was understood, and there must be arrangements such as there were now, so that the bankrupt might be allowed to carry on his business without his property being liquidated. An attempt was now being made to steer between two things, but we must either retain the present system of arrangement or do away with it, except under the order of the Court.

Mr. PEEK trusted the Attorney General would adhere to the principle that there should be no arrangement without leave of the Court. Nothing had done so much to lower the moral tone of the commercial world as deeds of arrangement.

Mr. STEPHEN CAVE said, this was an extremely difficult question, and the difficulties seemed to be multiplied at every step. They had to meet the case of the dishonest trader who wished to cheat his creditors, and also the case of the man who got into difficulties through misfortune. It was often desirable that the latter should not be driven into bankruptcy. Again, besides the creditors, there were the public who were often injured by corrupt arrangements between the insolvent trader and his creditors, who said—"We will hush this up if you get credit from others and pay us, and then trust to Providence to pay them." The difficulty was to reconcile legislation for the honest and dishonest classes. There ought to be sufficient publicity and sanction for what was done, and the question was how far these were compatible with a debtor carrying on his business as before. That was a point upon which it was most difficult to express an opinion. If the estate were to be left in the debtor's hands in order that he might work it as well as he could, he (Mr. Cave) did not see the use of handing it over to a trustee, and then take it back again. It appeared to him that the Bill only met one class of arrangements—namely, liquidations under the order of the Court. It had been truly said that more money was recovered under composition; indeed, the waste and expense and delay of liquidation was notorious. What was wanted was some provision for composition which was not necessarily dishonest. He wished the Attorney General would re-consider the matter.

The ATTORNEY GENERAL said, the clause had been carefully considered; it steered a middle course between two opposite views, and he did not see how it could be altered so as to be reconciled with the wishes of the two sides.

Mr. RATHBONE said, he would withdraw the Amendment, provided the Attorney General would make some arrangement for securing greater publicity for these composition deeds.

MR. JESSEL said, he did not pretend to speak on this subject for commercial men, but he found from a great many of them that there was a very strong feeling among them for the continuance of composition. It had been represented to him that in many cases a larger sum was paid by the debtor under composition than could be obtained under any management whatsoever. If such was the prevalent feeling, the Attorney General ought to meet it by a substantial clause enabling creditors to obtain a composition from a debtor. But then it was said that this should be fenced round by the safeguard of publicity—that is, publicity among the creditors themselves. ["No!"] But a public notice would be quite sufficient. What had been suggested by the Chambers of Commerce was that a meeting should be advertised; that could be done by the Court; then the creditors could come together, and, by a vote of a majority in number and three-fourths in value, accept a composition. If they passed the Bill as it stood, they made a man virtually a bankrupt, though they did not call him so.

MR. MORLEY believed that the law as it stood at present did not require that the meeting should be advertised. If it were advertised it would be a great advantage, and might perhaps meet the views of the hon. Member for Liverpool (Mr. Rathbone).

THE ATTORNEY GENERAL said, he was prepared to consider the question of a substantial clause as suggested by his hon. and learned Friend (Mr. Jessel) without binding himself by a pledge that he would bring up such a clause. But if his hon. and learned Friend should do so it would have his best consideration. The clause before the Committee, however, was, as far as it went, a right clause, and he hoped they would accept it.

MR. PEEK said, there was a large house in London that never would take a composition under any circumstances, and the consequence was that where he made twenty bad debts that house never made one. They always sent the debtor into bankruptcy, *coute qui coute*, and the class of persons who went into compositions always let in the easier traders, and avoided that house. He did not see why honest men should not carry a composition through the Court with the privity and sanction of the Judge.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 127 (Commissioners of London Bankruptcy Court to cease to hold offices).

THE ATTORNEY GENERAL *moved* page 44, at beginning, insert—

"Such one of the present Commissioners of the London Bankruptcy Court as may be chosen by Her Majesty shall be the first Chief Judge in the London Bankruptcy Court as constituted under this Act, and shall, as to tenure of office, rank, salary, pension, and all other privileges except his title, continue in the same position in all respects as if his office had not been abolished by this Act, but save as aforesaid."

MR. RUSSELL GURNEY asked, whether it was not desirable that the Chief Judge of the Court should rank with the other Judges? It was important to give him the same position, and he would therefore propose that the word "rank" be omitted.

THE ATTORNEY GENERAL said, he would agree to the Amendment.

MR. PEEK said, that the hopeful feature of the Bill was that the Chief Judge of the Court was about to be placed on an equality with the Judges of the land. It would be necessary to provide him with a suitable salary.

THE ATTORNEY GENERAL said, that due provision should be made for the salary of the Judge,

Amendment, as amended, *agreed to.*

Clause, as amended, *agreed to.*

Clause 128 *agreed to.*

Clause 129 (Abolition of Country District Courts of Bankruptcy).

SIR ROUNDELL PALMER said, that he could not understand how it would be for the public advantage to send to the right-about a number of officers, the greater part of whom were quite capable of remaining in the public service. The Bill proposed to pay them off, and considering that they held freehold offices, of which they could not otherwise be deprived without their own consent, less could not be done without injustice. But whether they were to receive more or less compensation, he protested against the principle of discharging all these officers without exacting from them such services as they still could give.

MR. AYRTON believed it was intended that every person whose services could be used should be used. The Government could certainly not flinch from the responsibility of compelling these gentlemen to serve the public instead of receiving their pensions for doing nothing.

Sir ROUNDELL PALMER said, that might be the intention of the Government, but the clause made no provision for it.

Mr. MORLEY said, he would rather pay the officials in the Bankruptcy Court for doing nothing than retain many of them in their present offices.

The ATTORNEY GENERAL said, that it seemed desirable to make a clean sweep of the Courts. It was the intention to utilize all that could be used from the London Courts. It had been proposed to retain the District Courts, at least, during the lives of the present Commissioners; but there was such a pressure from the commercial world to abolish them at once, that it was agreed to as the best course. Their jurisdiction was transferred by the Bill to the County Courts.

Clause *agreed to.*

Clause 130 (Compensation to holders of abolished offices).

Mr. AYRTON proposed an Amendment, with the object of limiting the clause entirely to the Commissioners. The clause would then run to this effect—

> "That any Commissioner should from and after the abolition of his office receive out of the moneys to be provided by Parliament, an annuity during his life equal to the amount which he received by way of salary during his continuance in office."

The result of that Amendment would be that the rest of the compensations would be dealt with by Clause 131. Under the General Superannuation Act the principle was laid down that compensation should be granted on the abolition of office or employment. That applied, however, only to the civil servants of the Crown. He thought that the superannuation to the amount of ten years' service was a fair arrangement. He could conceive nothing more monstrously extravagant than to say that every person employed in the administration of the Bankruptcy Court, whether he had served for one year or fifty, should have for the rest of his life an annuity guaranteed by Parliament. What he wished, therefore, to propose was that the Treasury should be empowered to examine the position of the persons employed, and the length of time during which they had served, and then to award them sufficient compensation. It might be objected that in that way they would not be guaranteed anything. But he would ask whether it was not the duty of the Executive to insist that such an investigation should be made, and if the officers were dealt with in a niggardly manner it would be competent for them to come to the House of Commons, and no doubt they would easily find advocates to take up their claims. The clause as it stood was of a most ambiguous, but at the same time comprehensive, character. He did not know that there was anybody in the Bankruptcy Court who did not hold his office during good behaviour. Every salary was given for the performance of certain duties, and was subject to this condition, that those duties should be performed. To say, then, that these people were to receive their annuities for the rest of their lives was an extravagant proposition. He begged to move his Amendment.

Sir ROUNDELL PALMER said, that it was no doubt of very great importance that the Committee should arrive at a sound, economical, just, and uniform system of dealing with this class of cases, and not waste the public money by appointing large numbers of officers and then dismissing them with full compensation. One way of avoiding that was by utilizing the officers we had and not discharging them when they were able to perform their duties. He regretted that his hon. Friend had not given the Committee any information on that point, because he believed that employment might be found for all those in the Bankruptcy Court who were fit for their duties. Therefore the number of compensations, if they did not pension those officers unnecessarily, might not be so great as was supposed. He quite agreed with the hon. Gentleman that it would be a good thing if the rules of the Superannuation Act were extended to all public offices, so that if it should please Parliament to abolish the offices the holders might be dealt with on the terms provided under the Act. But if an economical and uniform plan was important it was of equal importance to the public that we should deal justly with all classes of public servants, and that we should not create freehold offices and then by Act of Parliament dismiss the holders without any fault of their own at less than their full salaries, unless we had previously given them notice that it was part of the terms on which their offices were accepted. How *ex post facto* legislation should be made to apply to the officers they were about to dismiss, and who were appointed by Act of Parliament many years ago, he could not see. All these officers held freehold offices, for an office held during good behaviour was a freehold office. The practice of Parliament had always been opposed to that now advocated by the Secretary to the Treasury. In the former Bankruptcy Acts, in the Act abolishing the office of the six clerks, and in most of the legal changes which had been made, the principle had been adopted of giving to these freehold officers their full salaries. Compensation was now being paid under the Acts of 1842 and 1861 to officers displaced by those Acts, upon the same principle of giving them their full salaries; and he saw no reason why this principle should be departed from if the Government did not think fit to accept the service which they were willing to give. These gentlemen had made all their arrangements on this footing. If the Government either could not or would not find any duty for them to discharge, they were dismissing them by Act of Parliament, and it had not been the practice to leave the remuneration of such persons to the Treasury. He said make them serve as much as possible, and as to the rest he maintained that the principle of justice was quite as important as the principle of economy.

MR. ANDERSON said, the Amendment, of which he had given notice, was to omit this Clause 130 altogether, the effect of which omission would be to make every case depend upon its own merits. Every word uttered by the hon. Gentleman the Secretary for the Treasury, in respect to these officers, applied with equal force to the Commissioners. He could not, therefore, understand why the Commissioners should be dealt with so liberally, and the minor officers subjected to such different treatment.

MR. SCLATER-BOOTH said, he hoped that, before the Committee discussed these clauses, they would see them in print.

House *resumed.*

Committee report Progress; to sit again upon *Friday*, at Two of the clock.

COAL FIELDS.

MOTION FOR AN ADDRESS.

MR. PEASE said, he rose to call attention to the need of an early Report from the Royal Commission appointed to inquire into the duration of our Coal Fields. His object in placing the Notice on the Paper was to elicit information rather than to impart it. At various times, the question of the exhaustion of our coal fields has been brought prominently forward. Dr. Buckland was one of the first to take up the subject, and much more recently it was pointedly referred to by Sir William Armstrong, in the very able inaugural address which, as President of the British Association for the Advancement of Science, he delivered at Newcastle on Tyne. Sir William laid particular stress, not so much on the quantity of coals we had, as on the manner in which we were exhausting our coal fields, and as a matter of national economy, recommended immediate attention to this great question. That address was followed by the publication of books on the subject by Mr. Hull and Professor Jevon. From the calculation of the last-named gentleman, taking the quantity of coal roughly at 100,000,000,000 of tons, we may compute that, if the demand continued at the present rate, it would become in about 100 years, equal to the exhaustion of the whole of the present coal fields annually. Since the appointment of the Royal Commission, in 1866, that rate of increase had continued very much the same as had been indicated by the right hon. Gentleman the present Prime Minister some years ago—about 3·5 per cent per annum. The quantity of coal wrought in this kingdom, in 1855, was 64,000,000 tons; in 1861, 85,500,000 tons; and, at the present time, about 104,000,000 tons. The right hon. Gentleman, in his Budget speech, in 1866, laid very great stress on the value to the country of this enormous coal supply. The year before that speech was delivered, the coal was valued at £16,000,000 a year; and, at the present time, it was valued at no less than £25,000,000. Well, in the June following that Budget speech, his hon. Friend the Member for Glamorganshire (Mr. H. Vivian) brought this question before the House, the result being the appointment of a Royal Commission to investigate it. Among the Members of that Commission were the hon. Gentleman himself, the Duke of Argyll, Sir Roderick Murchison, Sir William Armstrong, Mr. Dickinson, the hon. Member for North Durham (Mr. Elliot), Mr. Forster (mining engineer), and other gentlemen of eminence. That Commission proceeded to investigate the probable quantity of coal contained in the coal fields of the United Kingdom, and the probable consumption of the same. Several subsidiary questions were proposed to this Commission, which required a considerable amount of organization, time, ability, and labour to investigate, and in moving this Resolution he had not the slightest desire to throw the least reflection on the Commissioners, who, he believed had laboured assiduously at their task, but it was of great importance that the result of their inquiry should be known; and he begged, therefore, to move a Resolution to the effect that an humble Address be presented to Her Majesty, praying her to take steps, in order to procure a Report from the Commission at an early date.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to take such further steps as She may be advised, in order to procure from the Royal Commission on the Exhaustion of the Coal Fields (appointed in July 1866) a Report on the subjects committed to their care, at as early a date as the important and difficult character of the investigation will permit."—(*Mr. Pease.*)

Mr. HUSSEY VIVIAN said, that as he had moved the appointment of the Commission, and had sat continuously upon it, he wished to say a few words on the present occasion. He thought that the House and the country could not be otherwise than grateful to his hon. Friend for having brought this question forward. The Commission was apponted in July, 1866, and it met for the first time on the 7th of the same month. It had points of the utmost difficulty to investigate, and it determined that the best mode of dealing with the question would be to divide the Commission into Committees to inquire into those several points. The first point to be ascertained was whether coal could be worked at greater depths than at present; second, whether there was waste in the combustion of coals; and thirdly, whether our future consumption of coal was likely to be much greater than at present. All those points had been most carefully investigated by the Committees whose Reports he held up to December last. The first Report was as to the possible depth at which coal could be worked. The Committee were making experiments as to temperature, and it was hoped that in one or two more sittings that Committee would bring its labours to a conclusion. The second Committee inquired into the question of waste in combustion; the third investigated the question of waste in working, and both those Committees would shortly report. Upon the subject of the future supply of coal, Sir Roderick Murchison had summed up the inquiries of the Committee by a memorandum, which stated that the result of the investigation, founded upon trustworthy geological data, would show that a very large amount of good fuel would be at our command after the exhaustion of the present known coal fields. That most difficult problem, the extent to which the consumption of coal may be expected to increase, had been undertaken by Mr. Robert Hunt, the head of the Mining Record Office and the Museum of Practical Geology, who had, besides making other inquiries, issued upwards of 12,000 circulars to colliery firms, steamship owners, manufacturers, and mines, and continued zealously prosecuting his labours. The duty of inquiring as to the extent of the coal existing in the fields at present in work had been intrusted to some of the most eminent coalowners. Various coal fields were allotted to various members of the Commission, and on the 22nd of December last they were requested to report to the Commission upon the progress of their respective inquiries. The only coal field which has been completely finished was that of Bristol, including Somersetshire and Dorsetshire, which had been reported on by Mr. Prestwich. He estimated that the coal remaining unwrought at a depth not exceeding 500 yards was 1,825,000,000 tons; between 500 and 1,000 yards 1,719,000,000 tons; between 1,000 and 2,000 yards, 2,627,000,000 tons; between 2,000 and 3,000 yards, 777,991,144 tons. The total was 6,950,000,000 tons of coal remaining unwrought, or, taking the quantity within the depth of 4,500 feet only, it was 4,862,000,000 tons. Taking the present consumption at 100,000,000 tons a year, he arrived at the gratifying result that that which had hitherto been commonly described as the insignificant coal field of Somerset and Dorset was capable of supplying the whole of England for forty-eight years. It might be calculated that one seventy-ninth part only of the available supply from it was exhausted. He believed the reports upon the other coal fields would prove as satisfactory as this was, and if they did, there could be no reasonable doubt that we had coal enough for all time. This inquiry was a national stock-taking of that which nature had provided for many generations to come. The probable rate of consumption of coal in this country could be arrived at only by ascertaining the quantity of coal consumed in each special branch of our manufacture and for domestic purposes, and that could be ascertained only by consulting most difficult and complicated statistics. The necessity was strong that the Commission should report to the country at the earliest possible moment; but it was equally strong that the conclusions arrived at should be well founded. It was utterly impossible to exaggerate the enormous importance of this question. The greatness and prosperity of England reposed upon her manufactures, and her manufactures reposed upon her coal; therefore, he could quite understand the anxiety with which the Report of the Commission was looked for by the country. He had been told that some persons doubted whether the investigation was worth its cost; but he believed £20,000 would cover the whole, or, in other words, the expenses of the Commission would not exceed 1-600th part of the expenditure upon our army alone every year. From July, 1866, to March 1867, it was found impossible to move in this great question from the uncertainty as to the amount which should be paid to those who assisted in the investigation. At last, after nine months' delay, it was determined that the mineral surveyors should be properly remunerated. He hoped and believed that by the end of this year the Commission would be in a position to report to the House and the country the result of their labours, and he should certainly feel it his duty to bring the subject before the House, and call attention to the result of their inquiries. He had not alluded to any of the conclusions to which they had come; but he might be allowed to say that the conclusions which he had the honour to express when he moved for the Commission remained entirely unshaken. A bountiful Providence had laid up in this country a store of wealth which would contribute to her greatness for many generations to come.

MR. LIDDELL said, he had seconded the Motion of his hon. Friend who had just sat down when he brought this question before the House some few years ago, and he now congratulated both the House and the Government of that day on having selected so competent a person as a member of the Commission. He rejoiced that the apprehensions expressed with respect to the failure of a supply of coal, and a consequent decline of our manufacturing and commercial prosperity, were in a fair way of being dissipated. He agreed with his hon. Friend that it would be extremely unwise to hasten the Report of the Commission, because it should be remembered that it was not only the information which the Commissioners had been able to obtain that the country was looking for, but also the conclusions which the most able scientific men would deduce from that information. If the inferences were hastily drawn, they might lead the country into apprehensions which it had been the object of his hon. Friend's Motion to remove.

MR. ELLIOT expressed his concurrence in the view that our supply of coal was practically inexhaustible. His strong conviction was, and it was supported by conclusive evidence, that there was greater waste in the production of coal than in anything else. The system of working coal had been very much improved of late years. The great question was how mechanical ventilation could be best introduced, and within the last three years there had been, as he had expected, a great development and much additional security arising from the adoption of the new system of ventilation which he had mentioned at the first meeting of the Royal Commissioners. The question of the exhaustibility of our coal mines depended upon the question at what depth the coal could be worked, and this, in turn, was measured by the heat at which human labour could be exerted.

MR. BRUCE said, he had listened

with great interest to the discussion, in which his hon. Friend the Member for Glamorgan (Mr. H. Vivian) had justified the delay in issuing the Report of the Commissioners, and in which hon. Members had urged, on the other hand, the importance of the publication of their Report at the earliest possible period. When they considered the immense variety and extent of the interests involved — the importance of preventing any waste of our coal fields, and the geological inquiries which, as his hon. Friend believed, would show the existence of vast undiscovered fields of coal—the country would, he thought, be of opinion that the Commissioners had exercised a wise discretion in patiently and laboriously collecting the fullest materials for the valuable and interesting Report which he had no doubt they would give to the world. He agreed with his hon. Friend the Member for Glamorgan that the supply of coal in this country was almost indefinitely great, It was, however, desirable that we should be informed as to the best means of preventing its waste, and how it could be worked and obtained in the cheapest manner, so that our coal proprietors might economize the stores that were nearest at hand, After what had been said that night the House would anticipate from the Report of the Royal Commissioners a rich store of the most useful information, and under these circumstances he trusted that he need not urge his hon. Friend (Mr. Pease) not to press his Resolution.

Motion, by leave, *withdrawn.*

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Ten o'clock.

HOUSE OF COMMONS,

Wednesday, 16th June, 1869.

MINUTES.]—Select Committee—On Metropolitan Commons Act (1866) Amendment * [77], *nominated.*

Public Bills — *Ordered—First Reading*—Debts of Deceased Persons * [165]; Poor Law Board Provisional Orders Confirmation * [166].

First Reading—Parochial Schools (Scotland) * [164].

Second Reading — Seeds Adulteration [49]; Sunday and Ragged Schools [67]; Special Bails * [162].

Committee—Report—Drainage and Improvement of Lands (Ireland) Supplemental * (No. 2) * [158].

Withdrawn — Municipal Corporations (Metropolis) [39]; Corporation of London * [40].

THE LORD'S DAY SOCIETY AND THE PETITION FORGERIES.

EXPLANATION.

Mr. T. CHAMBERS said, he begged to ask leave to make an explanation with respect to a statement made the other day by the hon. Member for Galway (Mr. W. H. Gregory), that the two persons who had sworn an information that they had been engaged in forging signatures to the Petition in favour of opening Museums on Sundays had subsequently been taken into the employment of the Lord's Day Society. The hon. Gentleman had been misinformed on the subject. The Society had never employed these men, and it would have been highly improper had they done so.

SEEDS ADULTERATION BILL.

(*Mr. Welby, Mr. Brand, Sir Michael Hicks-Beach, Mr. Read.*)

[Bill 49.] second reading.

Order for Second Reading read.

Mr. WELBY*: Sir, in moving the second reading of this Bill I fear I must trespass on the patience of the House for some short time, as the subject is one necessarily not familiar to many Members; but I will endeavour to confine myself strictly to showing the existence and extent of the evils against which the Bill is directed, the necessity for legislation, and the reasons why I think the Bill I propose will be effectual. In the remarks I am about to offer it will be, I fear, necessary for me to make statements reflecting seriously on the probity of seedsmen as a class; but I wish to guard myself at the outset from being supposed to imply that there are no honourable exceptions, no men who do and will supply their customers with a pure and genuine article. On the contrary, the Bill owes its origin in a great measure to the desire felt among the principal members of the trade to see this practice formally put an end to, which they have found their own individual efforts unable to cope with. Although, as I have said, this subject may not be a very familiar one, I am sure I need not point out at any length the importance to the farmer of having pure and vigorous seed to put into his land. On all arable farms a large proportion, and on many half of the whole produce of the farm depends on the seed and root crops, especially turnips, clover, &c. These are the cases in which the farmer is most extensively defrauded, and they are precisely those in which he is most deficient in the knowledge necessary to protect himself. In wheat, barley, oats, &c., his constant habit of handling at all stages of growth, and comparing samples, render him as good a judge as any professional expert. But in the smaller seeds, which he is seldom able to grow for himself, and where there is infinite variety with very close resemblance, he is almost entirely at the mercy of his seedsman; and this is true of the small farmers even more than of the large farmers. The latter has the means and opportunity generally of going to some seedsman of established reputation, but the little man is obliged to go probably to some small retailer in his immediate neighbourhood—perhaps the only man who will give him credit; and he looks to him very often, not, perhaps, exactly as his "guide, philosopher, and friend," but as a guarantee that the seed sold him is pure, and as an adviser as to what sorts of seed are best suited to the climate and soil of his farm. Now, Sir, the House may take it as an established fact that all well-grown, well-preserved new seeds ought to be capable of germinating to the extent of at least 90 per cent. It is also, I am sorry to say, a fact that of the seeds sold to the farmer—especially turnip seed—as a rule not more than 60 or 70 per cent is capable of germinating, and frequently not nearly so much; in other words, at least one-third of them are rubbish. This part of the subject was carefully tested about ten years ago by Professor Buckman, in a series of experiments, the result of which was that of ten picked samples of turnip seed, 92 per cent came up, 8 per cent failed; of ten market samples, said to be sold just as they were received from the wholesale dealer, 68 per cent came up, 32 per cent failed; of eight market samples of swede turnips, 24·8 per cent failed; of twenty samples of common and swede turnips, obtained direct from wholesale dealers, 70·2 per cent came up, 29·8 per cent failed. Within the last few months a sub-committee of the Royal Horticultural Society instituted a further series of experiments, the results of which curiously corroborate those of Professor Buckman. They procured samples from nearly all the wholesale dealers in London, and they found that of white turnip seed, on an average, 74 per cent came up and 26 failed; of yellow turnip seed 66$\frac{2}{3}$ came up, while 33$\frac{1}{3}$, or exactly one-third of the whole failed; while of other sorts of less, though still of great importance, of cauliflower or brocoli, only 51 per cent, or little more than half, came up; and of carrots—which, however, are rather an exceptional crop—actually less than 40 per cent germinated, showing that 60 per cent, or three-fifths, was valueless. So I think I am warranted in my statement—that of the seed sold to the farmer at least one-third is rubbish, which never comes up at all; and if any further proof of this were needed I might adduce the fact that where a farmer does grow his own seed he uses fully one-third less on his land than he would of bought seed. This, then, is one branch of my subject; one great complaint against the seedsmen, that of the seed sold by them a large proportion has in it no vitality at all. The other is that of that which has vitality a great deal is not what it is represented to be, but is the seed of inferior species, frequently spurious sorts and mere weeds, which either naturally bears—or by artificial means has been made to bear—so close a resemblance to the genuine as to be undistinguishable by the ordinary purchaser. Now, Sir, I may say at once that with the admixture of seeds inferior, indeed, but bearing a natural resemblance to that with which they are mixed, this Bill does not in any way profess to deal. I am quite aware of the extent of this evil; I know, for instance, that sainfoin is adulterated with the seed of a strong rank-growing weed called burnet to such an extent that by the third year this has completely choked out the sainfoin, and not more than 5 per cent of sainfoin is left. I know that in a bushel of clover seeds the weed seeds are frequently to be counted by the 1,000,000, and the weed plants which they produce in an acre by the 100,000. I know that plantain seed is unblushingly largely mixed with clover and sold at full price, though worth at most only half. But these are cases which I hold it is impossible to touch by legislation. You cannot draw the line between fraud and carelessness, or even between intentional adulteration and unavoidable impurities, and the purchaser must look out for himself. So, too, I may say that I do not propose to deal with seeds which have lost their vitality simply by being kept too long, although I have been very strongly urged to do so, and some parties, whose authority I cannot but respect, think that unless they are included the Bill will be virtually inoperative. I know the injury done in this way is enormous; the temptation to the fraud lies in the uncertainty of and precarious nature of the crop of most seeds, and the profit which is consequently to be obtained by buying cheap in a good year when there is a glut, and holding over to sell dear in a year when there is a scarcity, either alone or mixed with new seed. I should be very glad indeed if I could meet this evil, but I do not think it is possible, for the germinating power continues in different sorts of seeds for very different periods of time, and varies in the same sorts under different circumstances. Sometimes old seed is even better than new. All seeds from which oil may be extracted preserve their vitality for a number of years, if well harvested and stored in a dry warehouse, and well-known instances of mummy wheat which has germinated after being laid by for thousands of years will readily occur to the minds of hon. Members. So, great as I know these evils to be, I fear I must leave them alone; indirectly I do, to some extent, hope to reach them; for, if I can prevent the use of killed seed less seed will be stored, and the actual supply of old dead seed will not be enough to do much harm, besides which it generally betrays its presence by its appearance. This Bill is directed solely towards the suppression of practices which, beyond all contradiction and all possibility of mistake, constitute wilful, intentional, and deliberate fraud; and there are—first, the killing of spurious worthless seeds, on the principle that "dead men tell no tales," in order to mix them with and increase the bulk of parcels of valuable seeds, to which they bear a natural resemblance; secondly, the doctoring, without much regard to the power of germination, of inferior seeds, by colouring, sulphur smoking, &c., so as to give them the appearance of, and mixing them with, and selling them at the price of, seeds of a superior quality. Now, Sir, through the investigations to which I have before alluded, it has become notorious that these manipulations have been for many years past a regular and distinct branch of the seed trade. Some six or eight manufactories, I believe, exist solely for the purpose of doctoring and killing these seeds and supplying them to the seedsmen, among whom the dead seed is perfectly well-known and recognized under the name of "trio" or 000. This, I believe, is scarcely denied by the trade; but that I may not be suspected of making accusations which I cannot substantiate, I will quote a letter published in Professor Buckman's *Science and Practice of Farm Cultivation*, which he says was addressed to a most respectable firm—

> "Southampton, April 27, 1860.
>
> "Gentlemen,—Being in possession of a new and improved method of killing seed without the use of any chemicals, so that the seed when in a 000 state, has not that unpleasant smell it has when killed by the old method, and does not look perished if it be crushed, A man, by the new process, may kill ten or twelve quarters per day, and the apparatus is so constructed that it is impossible for a single seed to leave it alive; and one great advantage is that if you want a sack of 000 seed in a hurry, you may kill a sack of rape or turnip, or any seed, and have it fit for use in an hour. Seed, in the process of killing, increases in measure and weight, and when you send it out to be killed of course the seed-killer keeps the extra weight and measure. If you think it worth your attention I will send you a small working model, so that you may kill a few pounds of kale or cauliflower, or any small seeds, in a few minutes, and instructions for making a large one, on receipt of a post office order for £2.—Yours truly,
>
> "——."

To this Messrs. Sutton added that they had called from curiosity at the address given, and ascertained that "it was no hoax, but were assured by the inventor that he had supplied several tradesmen with the apparatus, and was formerly in the seed trade himself." Professor Buckman afterwards tried to procure some 000 seed. I was told by a most respectable London firm that "although perfectly well-known, I understood, in the trade they do not care to have it known beyond. Our asking for a small quantity will be sure to lead to the question, What do we want it for? We could obtain a large quantity without hesitation." If any further proof is wanted, I might refer to letters which appeared in the *Gardener's Chronicle* last November, and in *The Times* on the 15th of March last, written by one of the original promoters of this Bill—himself a seedsman—who there publicly charges the trade with being guilty of these practices, and challenges them to deny it, which they have scarcely attempted to do. The utmost they have ventured to say is that everybody can have genuine seeds who is willing to pay for them; thus apparently presuming that the public know that adulterated seeds are the rule, and that genuine seeds must be specially asked for. These frauds prevail extensively in all sorts of root-crops, cauliflowers, cabbages, &c., &c., but chiefly in the most important ones of turnip and clover seed. Large quantities of German or Indian rubsen or rapeseed, and inferior samples of English rape, are killed by steaming and kiln-drying for mixing with English turnip seed, the rape being worth about 50*s.* a quarter, the turnip seed £10. Trefoil, worth 16*s.* per cwt, is killed for mixing with red clover—worth 80*s.* to 90*s.* per cwt—and cow grass, and died pale yellow or purple to suit the sample for which it is intended. Cheap brown white clover seed is prepared with sulphur, which gives it a bright straw-colour resembling that of the finest quality with which it is mixed; the same with alsyke, brocoli, cauliflower, &c., which are adulterated with killed turnip or rape seed often not one-twentieth of the value. It has been estimated that 40,000 to 50,000 bushels of prepared seed are annually used for mixing with turnip seed, and many hundred tons of spurious clover seed. What the loss to the country involved by this may be I cannot pretend to calculate. I think I have now established the existence and enormity of these frauds, and I have to deal with the question—Why is legislation necessary? Why cannot the seedsmen themselves act honestly by their customers, and at once put an end to these malpractices? I fear that, as one of the public, in whose interest alone I have taken up this Bill, I can only reply—they do not; and, judging from experience, until they are compelled by law the majority of them will not. That there are some honourable exceptions I have already stated; that among all the more respectable members of the trade there exists a strong desire to put an end to these frauds I firmly believe, but with too many of them circumstances are stronger than their inclinations; they tell you that these frauds are the "traditional custom of the trade," that the present generation of seedsmen have not originated them, but have "succeeded to them as a fatal heritage"—a burden which they cannot cast off. They think, and perhaps with some reason, that customers are not yet sufficiently enlightened to know that it is cheapest in the end to give a good price for a good article, and they fear that if they restrict themselves to selling pure seed at a necessarily high price, they will at once be under-sold by more unscrupulous men, and that the only result will be to ruin their own businesses without advantage to the public. They contend that "any effort for good must not be limited to the voluntary abstinence of individuals, but must be compulsory and of universal application;" and to prove the sincerity of their desire that such an effort should be made, they warmly promote this Bill. This, then, Sir, is my case for the Bill; I have established the existence of a great evil, beyond the power of individuals to cope with, and for which the remedy now provided by law—a civil action—is so tedious and expensive that practically it is seldom resorted to. It only remains for me to show why I think the remedy I propose—summary conviction—will be effectual, and perhaps the strongest argument I can use will be to read a circular lately addressed to the various seed-houses by one of the individuals whose business consists in manipulating seed for them. His speciality, I am informed, is killing rubsen seed—

"Gentlemen,—In consequence of the Bill now before Parliament for the suppression of my trade, and the agitation that has been going on for the last eighteen months, I am compelled to solicit your sympathy and support in my behalf, as the passing of the above Act will be my total ruin, and also a heavy sacrifice in my machinery, &c., &c., part of which has recently been laid out to enable me to conduct my business more perfectly, the nature of which you are fully aware. Knowing this, and the number of years that my father and myself have faithfully served and conducted any work you have put into our hands, I trust that you will take this memorial into your kind consideration, and give it all the support which lays in your power. I am, gentlemen, your obedient servant, "T. S."

This is the opinion of one to whom the Bill comes home more nearly and vitally perhaps than anyone else, and I venture to think that this by itself is almost sufficient proof that it will be effectual. I do not believe there will be any great difficulty in carrying it out. The Royal Horticultural Society, it is true, say there are no means of knowing whether a seed has been killed or died a natural death; but I am told, on the contrary, that it is as easy for an experiment, by cutting the seed in two, as to see whether a potato has been cooked or not. At any rate, the wholesale dealers have ample means by their experience and technical knowledge, and by proof-rooms and proof-beds, of testing the quality of the seed which comes into their possession; so that if what they sell is adulterated it must be with their knowledge. If you can make them send out pure seed, the retailer as a rule will sell it exactly as he receives it; or, if he is inclined to cheat, he will not find it easy to obtain doctored seed. The British manipulator will have been put an end to; it will be unsafe to keep in stock large quantities of foreign 000; and the expense of procuring it in small parcels, or of sending seed to be mixed abroad, will destroy the profit; moreover, there is a difficulty in mixing small quantities —if not done artistically the fraud is sure to be detected. That my remedy is perfect I do not pretend; but I believe it will be effectual as far as it goes; and that it will not do more than it professes to do. The proviso in the 6th clause is, I think, wide enough to protect all legitimate operations of trade, but if not I shall be glad to amend it with that view, and the same with regard to the other clauses. I now ask the House with some confidence to assist me in the suppression of a system of rascality which has this aggravation above ordinary frauds, that it is impossible to discover the full effect of the cheat till the mischief is irretrievably wrought; and to assent to the second reading of a Bill which seeks to encourage the honest and deter the dishonest trader, to protect the ignorant or unwary customer, and ultimately to increase the provision of food for the community at large.

Mr. COLLINS, in seconding the Motion, said, he thought the House must feel indebted to the hon. Member for South Lincolnshire (Mr. Welby) for having introduced the Bill, and he hoped the Government would allow it to be read a second time. But, inasmuch as the subject was surrounded with very great difficulties, and was entirely new to Parliament, he trusted his hon. Friend (Mr. Welby) would consent to the Bill being sent to a Select Committee, that the House might be informed as to the facts of the case. He understood that kiln-dried seed was used for food. No doubt the mixing of such seed with seed that was to be sown should be prohibited; but it might be desirable, or, at all events, not improper, that seed should be dried for the purpose of being used as food; and there might be other cases in which processes, illegitimate if used for fraud, would be perfectly legitimate if designed and executed for an innocent purpose. A Select Committee would be able to furnish the House with evidence upon such points, and prevent Parliamentary condemnation of perfectly legitimate processes.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Welby.*)

Mr. SHAW LEFEVRE said, it was impossible to deny that the evils the hon. Member (Mr. Welby) hoped to put an end to by this Bill were of a very serious character. It was difficult to say how the custom of mixing seed arose; probably it commenced by the not altogether reprehensible practice of mixing old with new seed to equalize the prices, which the fraudulent had followed up by adulterating genuine seed with killed seed. If, as was said, there were manufactories used only for the purpose of preparing such seed, he thought that the matter was one that the House might be called upon to legislate on. But he must take some exception to the form of the Bill. The 3rd clause made it illegal to mix seeds, and the 4th clause said that it should be illegal to have possession of such seeds for sale. These were very general provisions. No doubt the 6th clause contained a number of exemptions from the operation of the previous clauses, but the effect of all the clauses was to throw the onus of proof of exemption upon the accused. He thought the Bill was not in a shape in which it would be safe for the House to pass it, and, therefore, he hoped that it would be referred to a Select Committee, with power to take evidence upon the subject, in order that the facts might be substantiated before legislation. He would observe that the Horticultural Society had expressed the opinion that the public was often deceived by the practice, arising from ignorance as often as from dishonesty—of keeping seeds until their germinating power was destroyed by age—and the same society passed a minute, only yesterday, approving the principle of the Bill; but remarking that it did not go far enough, because it did not take sufficient precautions against the sale of seeds which had died a natural death. The true cause of all this fraud was the gradual lowering of the standard of seeds, and the remedy was to be found in some process of raising the standard, as had been done by the Royal Highland Agricultural Society with respect to manures. This society had adopted the practice of purchasing samples of manures from different vendors, testing the quality and publishing the results. He recommended some similar process to check the adulteration of seed in preference to the adoption of criminal proceedings, the expediency of which he doubted, especially as they had not proved satisfactory in dealing with the adulteration of food. Very few prosecutions were carried on under the Acts for the suppression of adulterating food, and there was a Bill now before the House for instituting a system of State inspection. The discussions which had arisen on this subject would be useful in considering this Bill; but, as it was most desirable the House should have full evidence before it as to the facts complained of, he hoped the hon. Member would consent to the Bill going before a Select Committee.

Mr. READ said, he hoped the Bill would be read a second time and proceeded with by the House, instead of being sent to a Select Committee. The facts were notorious among those interested in the seed trade, and amounted to a system of unmitigated rascality. To send the Bill to a Select Committee would be to shelve it for the Session. People could not be made honest by Act of Parliament; but, he would observe, that the evil they sought to put a stop to was that hundreds of quarters of seeds were annually killed in large manufactories put up for the purpose, and this they could easily stop. He would rather see coiners of false money at large than permit this great wrong to continue; because, in the case of a counterfeit coin, the loss was apparent and definite, but in the case of seed the loss was not discovered until the farmer found he had no crop; besides this immediate loss the injury was continued for several years with more or less effect. The smaller farmers were especially open to this fraud, because a spirit of false economy had led them to give low prices and deal with small traders, who knew no more about seed than he did about law. Much had been said about old seeds, but it was a fact that seeds, properly kept, retained their germinating powers for years; he, at present, had a crop of turnips coming up well from seeds seven years old; and if the House wished to apply the test of age to seeds it would have to go back to the time of the Pharoahs. There was a marked difference between the case of adulterating seeds and other things, feeding stuffs, for instance. The farmer knew his oil-cake was not all linseed, but adulterated with bran; that his nitrate of soda was mixed with salt, and his ground bones with oyster shells; but little harm resulted beyond that of short measure. The case of adulterated seed was different; it might even go far to ruin a small man. With reference to the proceedings of the Royal Highland Agricultural Society in their detection of adulterated manures, he observed that they stopped short at an important point, and omitted to publish the names of those firms selling the spurious article. He believed no thorough remedy would be obtained until we had a public prosecutor, but in the meantime he hoped the Government would assist the passage of this Bill, and in the name of the farmers he demanded it as a right.

Mr. SYNAN said, he wished to give his hearty support to the Bill. He concurred with the hon. Member for South-east Norfolk (Mr. Read) that it ought to be passed at once without any reference to a Select Committee. The facts of adulteration were patent and could not be called in question. The "innocent purposes" alluded to by the hon. Member for Boston (Mr. Collins) had been provided for in the 6th section, and he could not conceive what facts the hon. Member wanted the Committee to substantiate, because this work would be done by the courts of justice in every case that came before them. The Committee of the Whole House were able to do anything that was requisite to make the Bill more efficient, and there ought to be no delay in putting an end to these frauds on the poor farmer.

Mr. H. B. W. BRAND said, the proper time for deciding whether the Bill should be sent to a Select Committee was after it had been read a second time; but he would observe upon this point that, although it would be tantamount to throwing the Bill out to send it before a Select Committee with instructions to take evidence as to facts, yet to send it to a Select Committee only for the purpose of amendment would be to facilitate its passage. He recommended the hon. Member in charge of the measure (Mr. Welby) to do his best to meet the objections raised by the Secretary to the Board of Trade (Mr. Shaw Lefevre) before the next stage; if this were done the Bill might proceed; if not, it would then be open to the Secretary to the Board of Trade to raise the question of sending the Bill to a Select Committee—a necessity, however, which he hoped the House would be spared.

Mr. HENLEY said, it was scarcely possible to exaggerate the evil of the system which the Bill sought to put an end to, either in its nature or the extent to which it prevailed. But he had great doubts whether the Bill provided an effectual remedy. There were difficulties under the present law, in proving the offence, and it would not be easier to secure a conviction under a penal statute than in a civil action. Would it be easy to prove whether seed that had lost its vitality had been heated purposely by a kiln, or naturally, in the rick, or, in the case of foreign seed, in the ship which brought it here. He should not, however, oppose the second reading, but he hoped the hon. Member who had charge of the Bill (Mr. Welby) would do his best to meet the difficulties which he (Mr. Henley) had pointed out; and he would be most happy to afford every assistance in his power to make the Bill efficacious. He feared, however, it would never have much practical effect, and that it might prove a delusion, and even give greater impunity than at present to the rogues who sold bad seed.

Sir PATRICK O'BRIEN said, he must offer his thanks to the hon. Member (Mr. Welby) for introducing the Bill, in which the small occupiers of Ireland were especially interested, though many of them were ignorant of the existence of the evil it sought to remedy On this account he would prefer a Select Committee to take evidence on the subject with a view to circulate the information throughout the country, The objection that criminal prosecutions would not be undertaken under this Bill would not hold good as regards Ireland; because there the Crown prosecutor would undertake them, and for this reason the Irish farmers would be better protected by a penal than a civil remedy. He would counsel delay rather than immature legislation.

Sir FREDERICK W. HEYGATE said, that the North of Ireland was more interested in the measure even than other parts of the country, because of the great care necessary in the preparation of the flax seed. In Ireland the large landlords who had the interest of their tenants at heart usually purchased large quantities of good seed, which they distributed among their tenants, and in almost every instance the money was repaid with the greatest alacrity, and the practice was regarded as the greatest benefit. The small farmers, however, had to depend upon the tradesmen of the neighbouring towns, and anything more uncertain than the quality of the seed which they sold it would be impossible to mention. Although the Bill might not prevent the adulteration of seeds or misrepresentations as to the places where seeds were grown, he thought that if it were amended in Committee it might be made a good measure, and the hon. Members who had introduced it were entitled to the thanks of the community.

Mr. MORRISON said, they had some experience which might throw light on this question in connection with the Adulteration of Food Act, which they all knew had proved a dead letter. If the farmers of England chose to combine in order to purchase seeds they had the remedy in their own hands. There was no excuse for adulteration on the ground of small profits, because the profit made by the retailer on the wholesale price was over 30 per cent, and it was known from experiment that the average adulteration was about 50. The question was a serious one in this respect, that the tendency of adulteration was to drag down the honest to the level of the dishonest dealer. He believed that there was in the seed trade a real and earnest desire among respectable houses to put down this practice, and he had no doubt they would do their utmost to make the Bill work successfully; but he had the greatest possible doubt whether, like the Adulteration of Food Act, it would not prove a failure. Then it was a question whether the publication of the analysis with the name of the vender might not render the parties who published it open to a charge of libel. Even the publication of an analysis of the adulterated article would be of no use unless side by side with it there was also published another analysis showing what the genuine article should be composed of. The publication of an analysis ought to be made a privileged publication. When strong language was used between a dealer and a farmer who found himself taken in, the seedsman might threaten an action for libel, and the farmer was generally so much afraid of law that he would not go further. Much good, however, might be done by means of societies like the Royal Horticultural. Though he should vote for the second reading he was of opinion that unless the greatest care was taken the measure would prove a dead letter.

Mr. W. JOHNSTON said, the members of the Belfast Chamber of Commerce were unanimously in favour of legislation on this subject. The seedsmen of Belfast also anxiously desired that a Bill should be passed upon it. He hoped the Government would not oppose the second reading, and that the Bill would not be shelved.

Mr. BRIGHT: Sir, I did not hear the observations of my hon. Friend the Secretary to the Board of Trade (Mr. Shaw Lefevre); but if any Member of the House gathered from them, which I think he could not, that the Department with which he and I are connected is opposed to the second reading of this Bill, he made a great mistake, because there can be no doubt, I think—I can have no doubt, from the statements made to me by two very important deputations—that there is a grievance of considerable magnitude in connection with this question, and it would very ill become me to ask the House of Commons not to deal with this grievance in a manner in which it is accustomed to deal with other evils and other grievances which exist in the country. The real question, which was referred to by the hon. Member for Plymouth (Mr. Morrison), is whether this Bill would be of great use. If it can be shown that it would be of great use, by all means pass it; but, as this is a new question, I think it is at least desirable that the House should make some inquiry to ascertain the extent of the grievance, the mode in which it arises, and whether the Bill as it now stands, or as it may be altered, or whether any Bill, can be a sufficient remedy for the evil which is complained of. The House must bear in mind that the Bill does not refer at all to what the Royal Horticultural Society describes as a great portion of the evil. It refers only to those seeds that are intentionally killed for the purpose of adulteration and deception. It does not deal with the keeping of seed until it becomes old and has lost its germinating power. Now, the Royal Horticultural Society, in their Report, say that that is the main portion of the grievance, and yet that is what the Bill entirely ignores. Let the House bear in mind what are the difficulties of this question. The hon. Member who moved the second reading of the Bill (Mr. Welby) and the hon. Member for Norfolk (Mr. Read) must know a great deal more about it than I know, for what I know has been gathered chiefly from the deputations I have seen on this subject; but they tell me, and it is quite clear, that the seed of a certain harvest is very much better than that of another harvest—very much better in one farm than in another farm; in fact, that it varies from causes which we not only cannot control, but which we cannot in the smallest degree comprehend; that if seed is too long kept it becomes of no value, and for purposes of adulteration it is as injurious as seed that is actually killed. It is impossible, in many cases, to say whether the seed has died naturally or has been killed by some artificial process. Seeds in different seasons will be of different colours, and it is not always possible to tell whether the seed has been coloured by the dealer for the purpose of deception, or whether it has been coloured by the circumstances of the harvest. When there is no crop, or a bad crop, from seed which a farmer has put into the ground, it is no longer in his possession, and it is impossible for him to tell whether the failure is owing to some peculiarity in the soil or of the season. I will undertake to say that the most honest seedsman in England, and, I think, the most honest farmer, if we had him here, would admit that he might put seed from the same sack into two different fields, not more than a quarter of a mile apart, and yet the result in in one field might, from causes which cannot be explained, be, in many cases, double, and often more than double that in the other field. I mention these things to show that this is not a simple question, but one of the most complicated kind, which the learned men of the Horticultural Society themselves are just as much puzzled about as I who am most unlearned on the matter may be expected to be. The sub-committee of the Horticultural Society, at the close of their Report, explain a plan by which farmers can easily, if they like, ascertain before seed is put into the ground whether the seed be good seed or not. They say they have considered the various modes of testing seeds which are known to them, and that which they feel inclined to recommend as, on the whole, the easiest, cleanliest, least troublesome, and most likely to be acceptable to the general public, is the placing of the seeds between folds of moist flannel, and keeping them in the temperature of a sitting room or kitchen for a few days. It may not answer for all seeds, but it answers perfectly for most kinds, and any seed that gives a good return under it may be depended on as certain not to give a worse result when actually sown. They say an idea of its efficiency may be gathered from a trial of it made by one of the committee, upon 100 seeds of one of the sorts whose average of good seed had in previous trials been found to be seventy-five. The method recommended gave twenty-five seeds germinating on the third day, twenty-three on the fourth, sixteen on the fifth, nine on the sixth, and three on the seventh—total, seventy-six. That is to say, 100 seeds, producing seventy-five fruitful seeds in the earth under the most careful circumstances, had produced seventy-six fruitful seeds when tried between these layers of moist flannel. The Council recommend that this plan should be made as widely known, and its practice be as strongly inculcated, as possible. Now, although that is quite true, and although it may be important that all farmers should know it, and I have read it here that it might be more extensively known, still it does not does not follow that if Parliament can legislate so as to put an end to this evil, Parliament should not do so. The right hon. Gentleman the Member for Oxfordshire (Mr. Henley), who, besides being a statesman of great authority in this House, is somehow or other, I do not know whether from education or from a natural qualification, very much of a lawyer. [*Laughter.*] I hope the right hon. Gentleman does not think that I am saying what is unfair to him in saying that, for I often wish myself that I were a lawyer; it would add to one's power of discussing many questions in this House — the right hon. Gentleman has laid before the House some difficulties of this Bill. He is of opinion—and I think all persons connected with trade who have considered the matter calmly are of opinion—that the Bill as it stands—and I am not sure it would not be true of any Bill—will be a very great embarrassment in trade. I have seen, this morning, one of the most extensive seedsmen in the kingdom, and I believe he is one of the most honourable. He says the evils which are complained of are greatly diminishing, and that, with regard to some particular branches of the trade, they may be said altogether to have become extinct; and he feels that the greater intelligence of farmers, and the greater necessity they feel of being careful on this matter, will of itself tend greatly to diminish or remove the evil altogether, and that legislation is not necessary. He says that whatever good legislation on this subject might do, it would be accompanied with this great evil—it would put some thousands of persons in peril of litigation, from which they are now to a considerable degree exempt—litigation which would be not only wholly unsatisfactory to the dishonest, but most unsatisfactory and embarrassing to the honest tradesman. One gentleman who has written to me, but asks me not to mention his name, says that he sued a farmer for 19*s*., a debt of three years' standing. The farmer retaliated by bringing an action against him, charging him with having sold to him fourteen pennyworth of Swedish turnip seed, being 2 lbs. in weight, which he was to sow in an acre and a-half of ground. The farmer accused him of selling seed that was not honest. [An hon. MEMBER: Perhaps he did not sow enough.] The gentleman tells me that in defending that action he had occasion to spend £166; that the farmer claimed for damages £100, which would be more than enough to buy the fee simple of the acre and a-half in which he sowed the 2 lbs. of seed; and a Dorsetshire jury gave a verdict for £12. The 3rd clause of the Bill makes it penal to destroy or kill seed, or to cause seed to be destroyed or killed by any process, with a view to dishonest practices. But even with regard to that clause, how could it be carried out? One of the deputations that waited on me told me they believed there was one place in London in which not less than 1,000 tons of seed had been killed in a year. [An hon. MEMBER: Quarters.] I will take quarters, if you like. They told me there are many places in which seeds are killed. Others tell me that is a gross exaggeration, and that probably there is only one known place in London where this is done, and that generally the practice is very much dying out. But how are you to manage to carry out this clause unless you appoint inspectors? The Bill does not propose to appoint inspectors. And if you appointed inspectors you would have one-half of the population inspecting the other half. If the Bill appointed inspectors there would be no end of patronage for my right hon. Friend at the Home Office. But when you come to Clause 4, there appears the technical objection mentioned by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley). It proposes to enact that anyone "knowingly" doing the things prohibited by the Bill shall be subject to a penalty; but how are you to prove that the seed dealers throughout the country have "knowingly" done this and that? This word "knowingly" is very like "corruptly" in the Corrupt Practices Act, which vitiated the entire Bill. The Bill does not apply to seed that comes from the Continent; and yet one-half of the seed sown in this country may come from abroad It is impossible in many cases to distinguish what is good seed and what is bad—what is bad through the act of man, or what is bad owing to the climate or the harvest. The question is, what ought the House to do? I am bound to admit there is considerable mischief existing. The deputation of the Horticultural Society, and a large deputation that attended at the Board of Trade, stated facts which it would be absurd in me to deny with so little knowledge as I have of the matter. At the same time there are most honourable seedsmen who are opposed to this legislation. This very day I have received a letter from the oldest firm of seedsmen in London, that is the firm of Minier, Nash, and Nash, in the Strand. Nobody will say that they are not a most respectable house. They have been in the same premises for 200 years. They say—

> "It is well known that seeds often fail in growth from causes beyond the merchant's control. One man will get a good crop, and another almost a failure, from the same bulk of seed. It would, therefore, be a most intolerable nuisance that a party could go before a magistrate and make a charge that we had sold him adulterated seed, leaving us to make out our case to the contrary, which would be an utter impossibility, seeing that the seed might have gone through a dozen hands from the time it left the grower in Germany or elsewhere."

I mention this to show that this is not a question to be dealt with suddenly by two or three clauses in a Bill which have not been fully considered. Therefore, as it is undesirable that we should pass a law that would have no effect, and would be a delusion to those for whom it was supposed to be a benefit, I think it is well that after the Bill has passed a second reading it should be referred to a Committee. This, fortunately, is not a question of party. My right hon. Friend the Member for Cambridgeshire (Mr. Brand), if he were a Member of that Committee, would see that everything fair was done with regard to this matter. Hon. Gentlemen opposite connected with agriculture would be disposed to consider the subject fairly in that Committee, and the right hon. Gentleman the Member for Oxfordshire could give them valuable assistance. The hon. Baronet the Member for King's County (Sir Patrick O'Brien) said he did not consider there would be much harm in having the Bill considered, though it might put off legislation to next year. Well, the delay to next year is no great delay. The discussion of the subject will of itself do some good, but we do not want to delay legislation for a month, or a week. We are anxious—I am very anxious—that we should not do anything in legislation which is not carefully considered, and full of effect, as far as good effect is concerned. I hope, therefore, the hon. Member (Mr. Welby) will have his Bill read a second time, and agree to have it sent to a Select Committee. I do not wish that in that Committee every person should be examined who wants to be heard, or that we should make a large blue book out of the evidence; but there are many important questions upon which we can have evidence, and there are some witnesses in the trade who would have a right to be heard in that Committee in answer to some points raised in the discussion here to-day. If the hon. Member agrees to that, I will give my consent to the second reading; and I congratulate the House most heartily that there is a fair prospect of something being done to put an end to a grievance which is a great loss to the farmers, and very discreditable to a large branch of trade.

Mr. HUNT, as the representative of an agricultural constituency, tendered his thanks to his hon. Friend (Mr. Welby) for having introduced this measure, and he was sure the ability he had shown in stating the case would justify the confidence which they felt in having it in his hands. He was glad, notwithstanding the strong speech which the President of the Board of Trade had made against the Bill, that he was prepared to support the second reading; and if the ability which the right hon. Gentleman had shown in discussing the measure were applied to improving it, he had no doubt that they might pass the Bill this Session without any complaint on the part of those affected by it. On a former occasion the right hon. Gentleman had said that the principal function of the post which he enjoyed was to give advice, which nobody followed. But in this case the right hon. Gentleman might give advice with a better result, and turn his Department to some practical use. The right hon. Gentleman had said that he was unlearned in the subject; but all must admit that he had shown considerable aptitude in acquiring knowledge upon it. The right hon. Gentleman had mentioned the different circumstances which might affect the reproductive character of seeds, and pointed out the difficulties which might arise if all persons who sold seeds which did not germinate were liable to a criminal process. But this Bill did not profess to deal with seeds the failure of which in productiveness arose from circumstances over which the vendors had no control. The Bill only dealt with seeds "knowingly" destroyed or coloured, and therefore the objections of the right hon. Gentleman, though exceedingly plausible, did not really apply to the particular provisions of the Bill. His hon. Friend himself in introducing the Bill admitted that the evil was one the greater part of which no legislation could touch; but this Bill professed to deal with those cases which legislation could touch — namely, the fraudulent adulteration of seeds. He did not know where the establishments were situated which killed and coloured seeds, but he thought there must be one at Boston; because his hon. Friend who represented that borough (Mr. Collins) was so exceedingly anxious that the measure should not go forward this Session. He had no doubt that under the 3rd clause there would be very little difficulty in locking up the establishments set up for carrying on this fraudulent trade. As to the cost of prosecutions, it was not proposed that cases should go before a jury, but that they should be decided by two ordinary magistrates, or one stipendiary magistrate. He hoped that the President of the Board of Trade would assist his hon. Friend in putting the Bill in such a shape as that the House could accept it, even though it might be afterwards referred to a Select Committee. Where it was a question of agricultural seeds which affected the whole community, because it affected the price of the food of the whole population, the President of the Board of Trade might surely take it upon himself to give every assistance to his hon. Friend.

Mr. WALTER said, he was aware of the great difficulties with which this question was surrounded, and he had often wondered, in walking through one of those magnificent displays of seeds seen in agricultural exhibitions that the practice of adulteration did not prevail to a much greater extent than was actually the case. Any one who walked down through the long rows of bags of various kinds of seed displayed in these exhibitions must have an extremely practised eye to be able to distinguish one from another. But there was no doubt that a grievance existed of a most cruel and abominable character, which that House ought to do all it could to put an end to. He was glad that no opposition was offered by the Government to the second reading of the Bill; but the question was really how to give effect to it; and, if his right hon. Friend the Member for Northamptonshire (Mr. Hunt) had not already made the suggestion, he should have ventured to recommend that the Board of Trade should take counsel with the hon. Member who had charge of the Bill (Mr. Welby), and see whether or no any other machinery could be devised for giving practical effect to the measure, without at the same time exciting unnecessary litigation and throwing the whole trade into confusion. He was sure that any one who took the trouble to read the 4th and 5th clauses would see that they were absolutely unworkable as they stood. In the first place there was the word "knowingly," which would give rise to the greatest difficulty; and then there was no limitation laid down as to time, whether it was within a week or three months after the seed was bought, or whether the buyer had to wait until the harvest was over before he could bring his action. It was easy to see that under these clauses as they stood the greatest injustice might be perpetrated on a most honourable seedsman, who might have in his possession seeds imported from abroad, which he could not know to be adulterated without a most careful analysis, for which he might have to provide a very costly machinery. While, therefore, the House was bound to afford every reasonable protection to those who could not protect themselves, on the other hand it was also bound to take care that that Bill or any Bill was not made the means of vexatious litigation and unjust pressure upon a class of persons, many of whom he knew to be highly respectable tradesmen, and to be strongly in favour of the Bill. It was therefore a simple practical question which the Government had to determine —whether they should be able between the second reading and the time for going into Committee to frame such clauses as might render the Bill operative before sending it to a Select Committee.

MR. NORWOOD said, he could not conceive a more wicked fraud than that of adulterating the seed on which the staff of life depended; but though he had every sympathy with the object the promoters had in view, he doubted if it could be accomplished by legislative enactment. For instance, the 3rd clause would have the effect of closing dishonest establishments for colouring seeds in England, but would have no effect on such manufactories abroad. He objected to the 4th and 5th clauses which, unless greatly modified, would improperly interfere with legitimate trade; and he believed the real remedy was to be found in greater care and caution on the part of the farmers in making their purchases. He thought the promoters of the Bill would do wisely in accepting the offer of the Government to refer the Bill to a Select Committee.

MR. KINNAIRD said, the Bill had been received favourably in Scotland, but it was considered to require Amendments.

MR. WELBY said, he rejoiced to perceive that there existed so general a concurrence of opinion that some early legislation on the subject was desirable. He was not unwilling to admit that considerable modifications might be required in the measure in order to bring it into a working shape. That subject had been thoroughly ventilated for several months past, and as far as the facts relating to it were concerned, they were not denied; and it was scarcely necessary to take evidence in reference to them. If it should be deemed requisite he should not object to the Bill going before a Select Committee, provided the Committee were instructed to confine its attention to the re-casting of the clauses of the measure.

Motion *agreed to.*

Bill read a second time, and *committed* for *Wednesday* next.

MUNICIPAL CORPORATIONS (METROPOLIS) BILL.—[Bill 39.]

(*Mr. Buxton, Mr. Thomas Hughes*)

SECOND READING.

Order for Second Reading read.

Mr. BUXTON, in moving the second reading of the first of two Bills on this subject which stood on the Notice Paper, the Municipal Corporation (Metropolis Bill and the Corporations of London Bill, said, the object of the two Bills that he held in his hand was nothing lesss than this—their aim was to get rid of that state of almost anarchical confusion by which the administration of the metropolis was at present disgraced, and to bestow upon her 3,000,000 inhabitants a well-balanced, well-organized system of representative self-government. That might well be thought a somewhat herculean task, and with that feeling he had for some time shrunk from taking part in it; and it was only at the earnest and repeated request of those who had been making great sacrifices of labour, time, and money for many years in this cause that he had accepted the duty they wished to impose on him. It must be matter of great regret to those who were interested in that subject that it should have lost the services of Mr. John Stuart Mill as its leader; but, in truth, the time was ripe for a revolution of that kind in the government of the metropolis. Public opinion was rapidly maturing to it, and it mattered little how inadequate its advocates in Parliament might be; that reform must, before long, be carried through. He had referred to Mr. Mill, and he should not be content to pass over in silence the services of his coadjutors, Mr. Ludlow and Mr. James Beal, who must not be confounded, as he sometimes was, with Mr. Beales, of the Reform League. Mr. Beal had laboured most strenuously for many years at that undertaking, and if it was carried through, his fellow-citizens ought not to forget his disinterested and persevering exertions on their behalf. Now, he was well aware that no private Member could indulge the hope of carrying through such a revolution as that with his own hand. All he could do was to submit to Parliament a scheme which certainly had been prepared with infinite pains and care, in the earnest hope that Her Majesty's Government, who were, he knew, fully alive to the necessity of action upon that point, would take up the case themselves, and during the next Recess would examine carefully into the scheme, comparing it with the rival schemes which had been suggested by others, and then that, in the course of next Session, they would propose to Parliament whichever plan was found to be most likely to conduce to the welfare of the metropolis. He had spoken of rival proposals, and he thought he had better briefly, but he hoped candidly, describe some of those that were competting for favour with the one that he had the honour to bring forward. One of the plans that had been propounded was that advocated by the Metropolitan Board of Works, who very naturally wished the vestries and so forth to remain as they were; that the boroughs should not be endowed with municipal functions, but that the powers of the Board of Works itself should be enlarged, so that it should become the supreme authority over all the affairs of the metropolis. There was one fatal disadvantage in that scheme—namely, that it took no account of the existence of the City Corporation, which would not consent to that supremacy of the Board of Works; whereas, the City had actually reported in favour of the first of his two Bills, and would merely seek to protect their interests with respect to the second. But even if that difficulty were got over, the suggestion of the Board of Works, though it might supply a strong government for London as a whole, would do nothing whatever to introduce order and good government into the chaos of conflicting jurisdictions in the several parts of London. Then came the proposal that emanated from the present Lord Fortescue, when Member for Marylebone. That noble Lord proposed a series of bodies governing the whole of the area, but each devoted to one great work, such as works, police, lighting, drainage, and improvements. That scheme was highly ingenious, but he need not discuss it now, as it was not pressed forward. Then there was the proposal made, he thought, by his hon. Friend the Member for Southwark (Mr. Locke), who recommended that they should simply take the City as a nucleus, and then divide the rest of London into wards, which should elect their aldermen and councillors like the wards of the City proper, thus simply adding them on as bees might add new cells to a honeycomb. No doubt there was an air of simplicity about that arrangement which was very attractive. In ancient times the City generally added one ward after another, and if that system of inclusion had not been stopped, by this time the City would have absorbed the whole of London. It was clear, however, that there were fatal difficulties in the way of adopting the proposed arrangements. For example, if the new wards were of the same size as the old ones, there would be such a multitude of them, and, consequently, such a host of aldermen and common councillors that no building could contain them. On the other hand, if the new wards were a great deal larger than the old ones, there would be great and well-founded dissatisfaction; if, for example, Westminster were only put on the same footing as one of the smaller wards in the City. Well, then, there was another proposal which found favour with the Committee over which his hon. Friend the Secretary to the Treasury (Mr. Ayrton) presided. The proposal of the Committee was, in fact, a revolutionary one. It altogether ignored the existence of the City Corporation, and started off as if they had a *tabula rasa*, with nothing already in occupation of the ground. He could not think that proposal was characterized by statesmanlike prudence. It would be very unwise of them to add so enormously to their practical difficulties, as they would if they attempted to sweep away a system so ancient, so venerable, so powerful as that. The Corporation of London was already engaged in the work of its own reformation; but it would be utterly unreasonable to make a reform of the City a necessary stepping-stone to the creation of a constitution for the metropolis, with which it had no necessary connection. And now he would endeavour to delineate the scheme which, in his opinion, was a more practicable, a more conciliatory, and, at the same time, a bolder and more efficient one than any of those to which he had referred; the scheme, in fact, contained in these two Bills. The object being, as he had said before, to confer a complete system of representative self-government on the metropolis, the mode by which they propose to carry out that idea was by the creation of what he might call a Federation of Municipalities. Their proposal was that each of the Parliamentary boroughs already existing should be converted into a municipal borough. Each of those boroughs was to have a complete machinery for self-government with respect to its local separate interests. Then, for the government of the metropolis as a whole, these ten municipal boroughs were to be united in a common Representative Assembly, and a common executive administration, thus forming a corporation for the whole of London. The nine new municipalities, in addition to the City proper, that would thus be created, were as follows:—Westminster, which would retain its prescriptive title of City, containing at the present moment, in round numbers, 260,000 persons; Chelsea, 200,000; Marylebone, 473,000; Finsbury, 423,000; Hackney and the Tower Hamlets, containing together 710,000; Lambeth, 320,000; Southwark, 204,000; and Greenwich, 193,000; and then there was the City with 130,000; making ten boroughs, with a population averaging 300,000 in each, and in the aggregate amounting to all but 3,000,000 of people. Each of these would have its separate corporation, consisting of mayor, aldermen, and burgesses; its council, with the usual powers of such bodies; and also with all the powers of vestries and other district bodies under the Metropolitan Local Management Act; its justices of the peace, invested with the usual licensing powers; its salaried police magistrate and police court; its town hall and its borough rate; in fact, each of these metropolitan boroughs would be treated exactly as if it were a borough in any other part of the kingdom. That would be their first step. Each separate portion of London would be provided with a perfect system of self-government to administer the separate affairs of that locality. But the second of these Bills went a great step further. After London had been thus divided into ten municipal boroughs, they proposed that London as a whole should be formed into a corporation, with 134 councillors elected by all the rate-payers, simultaneously with the election of their local authorities, and with aldermen, and a Lord Mayor, not of the City, but of the whole metropolis, chosen in the usual manner. That corporation would, in the first place, become invested with all the functions of the present Metropolitan Board of Works; but the present Chairman, Sir John Thwaites, who had so admirably done his duty in that position, would not be deprived of it, but would become Chairman of the Standing Committee of that new corporation—an office of great dignity and importance. The special functions of the central government would be to have control over the police, should the city not refuse consent, and over the whole administration of justice; over all sanitary measures, over the improvement of streets and public works of all kinds, including sewage, gas, bridges, ; over gaols and asylums and so forth. It would be seen that the scheme was not a revolutionary one. It proposed to develop, to enlarge, to create, but not to destroy. In fact they proposed to make the ancient Corporation of London the basis of the scheme. It would absorb the City Corporation, just as the Kings of England in building the Tower of London incorporated the ancient White Tower, instead of razing it to its foundation, and laying out the ground afresh. The only change it proposed to make in the City Corporation was that its mayor should no longer be called the Lord Mayor, but the Deputy Lord Mayor. The Lord Mayor ought to be the head of the whole corporation of the metropolis, and the mayor of the City Corporation should be called the Deputy Lord Mayor, so that in the absence of the Lord Mayor he should, *ex officio*, sit in his place, and thus they would give the City that precedence to which it had an unquestionable claim. With that one exception, the City would retain its privileges, its precedents, its property, and its organization unaltered, and it would stand at the head of the other corporations which it was proposed to create. The greatest pains, in fact, had been taken to conciliate all those who might naturally be alarmed by that proposal, so as to smooth the way for its adoption; and it would be found that if the plan were carried out no one would suffer by it either in purse or in position; but that, on the contrary, those who already held offices in the metropolis would, he thought, in every case have the opportunity of taking places analogous to that which they now filled, but of far greater importance, and in most cases of greater emolument as well. The details of the two Bills were, of course, extremely voluminous, but he wished to confine himself strictly to the main ideas on which they were based; and he would not trouble the House by describing their specific features. Now, the fact that the population of the metropolis amounted to 3,000,000 of persons was, in itself, an ample proof of the importance of making provisions for her self-government. That importance, however, was immensely enhanced by the position which London occupied as the centre of this great Empire, as the heart of their body politic, through which every current of life flowed without ceasing. Every year the metropolis occupied a more and more important position in relation to the rest of the community. Every year their whole political and social system became more and more thoroughly organized, and therefore every part was drawn into more and more intimate relations with the centre. And looking to the future, it was evident that Middlesex would ere long contain what might be characterized as a powerful nation. It was calculated that ere this century closed she would contain a population of from 5,000,000 to 6,000,000 of people. One might well have expected that the metropolis of such a country as ours would have itself exhibited, though in a smaller area, that wonderful power of organization, that wonderful aptitude for self-government, and that resolute determination to manage its own affairs which had so eminently distinguished the English people. Strange to say, the very opposite was the truth. Strange to say, there was not, he believed, in all Europe a metropolis—there was not in the whole of this kingdom a town or city—whose system of administration was in a state of confusion so preposterous as that in which the capital of the Empire was plunged. No one who had not gone deeply into the subject could believe the state of things which now existed. It was chaos itself. It might fitly be described in the words in which John Bunyan described the Valley of the Shadow of Death,—namely, that "It was every whit dreadful, being utterly without order." As Mr. Beal observed in one of his very able speeches on that subject — "The humblest corporate town has had powers conferred upon it which are denied to the metropolis of the Empire." "Nothing," said the *Edinburgh Review* of last January—

> "Is more discreditable than the anarchy of London and its circumjacent cities; nothing more unworthy of a nation which professes to govern distant empires than the fact that the government of its own capital is in the hands of a mediæval corporation, and of parochial Boards, all at war with each other."

And it proceeded earnestly to advocate the establishment of a complete system of municipal government in London and the introduction of an effective control over the whole system of local taxation. It added—

> "A municipal government of the metropolis being established on a proper footing, the great questions of pauperism, crime, police, public works, water supply, markets, sanitary improvements, and local taxation would, of course, be dealt with by it."

The *Quarterly Review* and many leading newspapers had written in the same sense. What the *Edinburgh Review* called the "anarchy of London" came mainly from this, that instead of its being cut into certain defined parts, and each portion being complete in itself for the administration of all its local affairs, new districts seemed to have been formed for carrying out every new purpose that had at any time arisen. Thus, London was divided into thirty-nine districts for one purpose; into sixteen for another; ninety for another purpose; fifty-four for another; besides a multitude of other divisions. It was differently divided for the police and for the police courts, for the County Courts, for duties under the Registrar General under the Building Act, for postal, militia, revenue, water, gas, and Parliamentary purposes; and those districts crossed and interlaced each other in a manner almost reminding one of Dr. Johnson's definition of network—that it was "a decussated reticulation, with interstices between the intersections." At the present moment more than 100 Acts of Parliament were in force for the government of London; and there were no less than 7,000 honorary officials; there were about the same number of guardians of the poor, besides a host of paid officials. He need hardly say that this variety of authorities and of divisions and subdivisions overlapping and crossing each other, the confusion of their powers, and the cross purposes of those endowed with them, involved the ratepayers of the metropolis in a vast amount of needless expense. It had led to much litigation; and, above all, such a state of anarchy not only implied extravagant outlay, but extreme inefficiency as well. They paid heavily, and they did not get any adequate return for their outlay. As an illustration of the extravagance of that system he might mention that evidence was given before Mr. Ayrton's Committee that to spend £10,000 in the Strand district cost in mere friction £3,000. They had in the two cases of Marylebone and Westminster a signal illustration of the economy that resulted from the consolidation of powers. It was shown before the Committee that Westminster, from its numerous subdivisions of vestry action, expended £10,000 more than St. Marylebone in administering an equal sum—£200,000—collected in rates. Now, nearly £3,000,000 of money is collected and expended by these local powers. Which would be most economical—to have thirty-nine staffs for one purpose, or ten; to have a multitude of authorities, acting without concert, or to have all powers consolidated into ten administrations, complete for all purposes? He put it to hon. Gentlemen present who were residents in the metropolis what their own personal experience was with respect to its government. Was there one among them who knew anything about the administration of their local affairs? For his own part he could only say that, although he had considerable interests in the West, but still more in the East of London, he had not the faintest idea when he paid his rates—which he seemed to be always doing—who those were by whom he was governed, how or why they had been chosen to govern him; on what grounds they had imposed upon him that expenditure, or whether it was or was not a reasonable and wise one. The system had no real publicity. It was worked almost in the dark. In fact, they knew nothing. They did not govern themselves; they were governed by others, without practically their being in any way consulted. Now, what he wanted was that every rate-payer in London should be the citizen of a borough, choosing those who were to administer the whole of the local affairs in which he was interested, and that those thus chosen should administer them under the eye and in the presence, as it were, of their fellow-citizens. In what he had just been saying, however, he did not mean to find any fault at all with the vestrymen, the guardians, and the other existing officials. It was not the men, it was the system that he blamed. On the contrary, he thought that all had great reason to feel sincere gratitude to those who made such sacrifices of time and labour for the benefit of the neighbourhood in which they lived, and who in many cases did their work so well. Nor did he want to oust them from their functions. He wanted to consolidate their powers and to give them so complete an organization that there should be no waste of such valuable force. In every way it could not but be an evil that the administration of affairs should be thus cut up into pieces, and be conducted on so small a scale, instead of the whole of the local affairs of each large division being conducted by one governmental machine. Very small government was rarely very good government. It was almost impossible, as Mr. Mill had well observed, to have a highly-skilled administration on a minute scale. It could neither be paid enough nor watched enough to make it first-rate. Government on a large scale had always a more vigorous life. It was more powerful, more rapid, more intelligent. When local administration was too much broken up into fragments there was always great danger of its getting into the hands of men unfit to take part in any work of the kind, and the very obscurity of its operations acted as a powerful encouragement to jobbery, to parsimony, and that which was the twin-sister of parsimony—absurd extravagance. Now, it seemed unaccountable that hitherto the people of the metropolis should have been content to remain floundering in that condition of chaotic anarchy, while new towns, such as Adelaide or Chicago, founded by English emigrants, had a system of self-government as perfect as any the world had seen. It was the more extraordinary because one portion of the metropolis had, for so many centuries, had a very complete organization. He alluded, of course, to the City proper, which occupied so conspicuous a position in this country, and yet, in reality, it was the merest fragment of the metropolis itself. The contrast between the two was most striking. The area of the City consisted of 723 acres, while London covered more than 80,000 acres. The resident population of the City by the last Census was 130,000, as against 3,000,000 in London itself. The assessment of the City was, in round numbers, £2,200,000 per annum, as against £17,000,000 for the metropolis as a whole. Yet that small portion of the metropolis was the only part which had a definite self-contained administration. Now, if each of these ten boroughs were supplied, as he proposed, with a complete machinery for self-government, and then above and beyond that they had a corporation of the whole metropolis, a council formed from the *élite* of the municipal councils—were that scheme carried out, who could doubt that they would then secure the services of a very superior class of men for work of such great interest and importance? He should not, he hoped, be misunderstood if he said that he wished to see London governed by her aristocracy, not, indeed by an aristocracy of mere wealth and rank, but that she should be, as the word really meant, under the rule of her best citizens; that the ablest, the most honourable among them, should aspire eagerly to take a share in the control of her affairs. And there was no man resident within her borders, whatever his social position, who might not well think it a worthy object of ambition to be the head, or to be one of the chief rulers, of a capital of such transcendant dignity and importance. Why, if for a moment they could look on London as separate altogether from England, and think of her rather as Athens, or Rome, or Florence, under the Medici, as a community by herself—was there ever yet seen on the face of the earth a city so truly the first of all cities, in wealth, in power, in art, in science, or in literature, in the vastness of her enterprize of every kind? Again, if they took her as the head and centre of the British Empire, was there ever a city whose sons bore sway over the destinies of so great a multitude of nations? Was there ever a city so truly the foremost leader in the progress of mankind? Why was it that those who lived in such a city—in a city in many ways so fitted to kindle enthusiastic love and admiration—why was it that they felt no touch of that civic patriotism which had always in other illustrious cities characterized their children? At present a Londoner scarcely dreamt of looking upon London with interest and pride and affection, as his own mother city, with whose life his own was bound up. He had no feeling of intimate connection with her. The population of London was a mere aggregate of so many individuals; but was not organized as one great whole; they were not, as it were, members of a body politic, and that, undoubtedly, was owing to their having no system of self-government among them. If they had an organization of the kind that he ventured to propose, it would call forth the faculties and the virtues of citizenship; it would at once kindle their dormant interest in the well-being of their capital, and it would be found that men of business, leading tradesmen, merchants, manufacturers, Members of either House of Parliament, men accustomed to handle the machinery of government, would be as ready, as Englishmen had invariably shown themselves, to sacrifice their leisure for the delight of doing work so worthy to be done; and there would revive among them that feeling of pride in that mighty city by which, in the middle ages, her citizens were marked; and while standing and looking on the roofs and towers with which even the banks of that river would before long be crowned, they could once more speak of London as

> "Urbs speciosa situ, nitidis pulcherrima tectis,
> Grata peregrinis, deliciosa suis."

He hoped the Government would look favourably upon the scheme; would give it their careful consideration during the Recess; and if it were found, as he thought it would be, a reasonable and a practicable scheme, they would then bring it forward on their own responsibility. He would not trouble the House further, beyond saying that what he sought was that every rate-payer in London should have a share in choosing the men by whom he was to be governed; should have a voice in the employment of the funds taken from his earnings; should know upon what ground he was required to part with them. His aim was—and he never would rest till he had secured it—to substitute in the government of the capital of the Empire order for confusion; clear and codified laws for the tangled mass of more than 100 Acts of Parliament; to substitute defined and well-marshalled powers for the swarm of disconnected authorities; to substitute publicity for obscurity, economy for extravagance, liberality for meanness, force for inefficiency — he aimed, in short, at bestowing the priceless boon of a complete and well-organized system of representative government on the 3,000,000 inhabitants of the metropolis, forming a community which even in mere numbers already exceeded some of the nations best known to history, but, at any rate, a community second to none in greatness, in dignity, and in power. The hon. Gentleman concluded by moving that the Bill be now read a second time.

Mr. MORRISON, in rising to second the Motion, said, he could not help remembering that this was the 16th of June, and that at so advanced a period of the Session it was impossible for any private Member to hope to carry a Bill like the present, which affected large interests, and was extremely complicated. He should, therefore, regard this debate not as a pitched battle, but rather as a *reconnaissance en force*, having for its object more serious operations in the future. He would even venture to recommend his hon. Friend (Mr. Buxton) not to press his Motion to a division, but rather to withdraw the Bill, and rest content with the discussion which he would have evoked. Everyone must feel assured that this was a question that would not be allowed to sleep, and though some persons might grumble at the slowness of its growth, he was not surprised that several years should be occupied in dealing with a matter involving such vast interests. All parties were agreed that reform of some sort was necessary, and the thing to be decided was, the shape reform should take. There was a general belief in the metropolis that the rates were unnecessarily high and that the large expenditure might be greatly reduced by more efficient management. Indeed, it was only necessary to point to the numerous conflicting authorities referred to by the hon. Member for East Surrey (Mr. Buxton) in order to show that there must be enormous waste in the mere cost of administration. There were only two alternatives in reforming the system. It would be necessary either to establish one gigantic corporation for the whole metropolis, like that which existed at Manchester, or to adopt a scheme similar to that proposed in the present Bill. He owned himself a recent convert to this scheme. He was not prepared to defend the City of London in all things, but, having become acquainted with the working of the Corporation, he was struck with the ability displayed in the management of its affairs; and in his judgment we ought to be extremely tender in dealing with an institution which he firmly believed gave general satisfaction to the people of London. If one gigantic corporation were established for the whole of the metropolis, that which was now the peculiar evil of all local institutions in London would be increased—namely, the absence of that corporate life and public spirit which characterized the inhabitants of such towns as Manchester, Liverpool, and Glasgow. Londoners knew comparatively little of their vestries and parish boundaries, or of their representatives on the Metropolitan Board, and thus a loophole was opened for mismanagement and corruption. But if they did not know their parishes or vestries they were at all events thoroughly acquainted with the division of the metropolis into Parliamentary boroughs, and he thought he could perceive in his hon. Friend's proposal to make the municipal corporations co-extensive with the Parliamentary boroughs the germ of a satisfactory settlement of this difficult question. If that Bill passed into law the greatest possible importance would attach to the first elections under it. No doubt the affiliation of corporations was new, but he should have great confidence in the result if they once got the machine into good working order. He had heard, with the greatest delight, the declaration of the Secretary of State for the Home Department that the Government intended to deal with the question; and he felt assured that if the right hon. Gentleman were next year to introduce a measure which was an improvement on the present one nobody could be more rejoiced than his hon. Friend the Member for East Surrey. In conclusion, he begged to second the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Buxton.*)

Mr. BENTINCK said, he rose to move that the Bill be read again upon this day six months. The scheme was precisely similar to that which was introduced last year by Mr. Mill, and rejected by the House when he (Mr. Bentinck) brought forward an Amendment similar to that which he had now placed upon the Paper. He regretted that the hon. Member for East Surrey (Mr. Buxton) should, at so late a period of the Session, have raised a discussion which must be fruitless in its results, more especially as his hon. Friend had obtained a declaration, more or less definite, from the Secretary of State for the Home Department that at the earliest opportunity this important subject should occupy the attention of the Government. With regard to the Bill two propositions might be laid down, which he thought were quite clear to all the world—first, that London was about the worst governed metropolis in the world; and, secondly, that the remedy proposed by his hon. Friend would be utterly unproductive of any good results, and even mischievous in its operation. Some persons seemed to be labouring under the delusion that Mr. Mill was the originator of this measure, but the truth was that the question of municipal reform for the metropolis came into practical existence long before Mr. Mill's political existence as a Member of the House of Commons commenced. In fact, Mr. Mill was merely the mouthpiece of Mr. Beal and other persons outside the House. There was a Committee appointed which investigated the subject during two entire years, and examined witnesses at great length. That Committee condemned, in 1865, the principle of the Bill, and nothing more was heard of it till 1867, when it was revived by Mr. Mill. It was brought forward as a species of election squib in order that Mr. Mill might make himself more popular with those who had supported him at his election. The Committee he had just referred to, which was presided over by his hon. Friend the present Secretary of the Treasury (Mr. Ayrton), reported in substance that there should be over the whole of the metropolis a central governing body, the members of which should not be elected by one class alone of the inhabitants, but that by it all the inhabitants of London should be fully and adequately represented. Last year this question was again revived by Mr. Mill, who made a most elaborate speech, which, though ostensibly in favour of the scheme, told in point of fact against it. In that speech three principles were laid down—first, that of skilled administration; secondly, that the value of the representative body should be measured by the value of its permanent officers; and thirdly, that there should be an entire consolidation of all districts for the purpose of the government of the metropolis. The present Bill, he maintained, did not fulfil any of these conditions. With regard to the opinions of the constituencies themselves, he showed, on a former occasion, that the great mass of them were against it. But the real objection to the Bill at present was that this was a subject that could not be properly discussed unless it were made a Ministerial measure. The Secretary of State for the Home Department, in replying to a deputation, had already partially pledged himself to introduce a Government measure on the subject, and he trusted that, before this discussion came to a close, a further pledge would be elicited from the right hon. Gentleman that the Government would be prepared next Session to settle it in a manner which would be satisfactory to all parties interested. As he objected to the principle of the Bill he should persevere with his Motion, which was that the Bill be read a second time upon this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Bentinck.*)

SIR HENRY HOARE said, that in this matter metropolitan Members were in considerable difficulty as to how they should act, and as a metropolitan Member he rejoiced that the Government would grapple with the question. To show the necessity of some such measure, he might state that a few years ago he took a residence in a metropolitan suburb, and he used to pay rates for lighting, cleansing, and paving, but the road was neither lighted, cleansed, nor paved. He confessed, however, he found a great objection existing among his constituency to altering the present state of things. The vestry of Chelsea, he believed, carried out all the duties with which they were charged. The words of the present Prime Minister, who expressed a hope that there might be a larger application of the principle of self-government than at present, as it was now filtered through so many *media* that it lost its original character, pointed to extended legislation. He would suggest that they might adopt the permissive principle, and carry incorporation out to a certain extent, enabling large districts to avail themselves of it if they chose, by an independent vote of the rate-payers; while, if they were not disposed to adopt it, they might retain their existing institutions.

MR. LOCKE said, he thought this Bill would be very wisely withdrawn. It appeared to him that the project before the House was of a very complicated nature, and could not be considered properly until they had first discussed an important Bill that stood lower on the Paper—the Corporation of London Bill. He would remind the House that if any of these districts of the metropolis were desirous of being formed into a corporation, they had the power under the provisions of the Municipal Corporations Act, to ask the Crown to confer that boon upon them. He was not aware, however, that any Petitions of importance had been presented in favour of this sweeping scheme for the establishment of no fewer than ten corporations in the metropolis. He did not believe there was any desire in the metropolis for this measure, and the evidence of it was, that this Bill was introduced not by a metropolitan Member, but by one of the Members for East Surrey (Mr. Buxton). On the last occasion when a similar measure was introduced—by Mr. John Stuart Mill—for the erection of seven municipal corporations, that hon. Gentleman stood almost alone in his advocacy. The expense of these corporations was a most important consideration. The Corporation of London had ample funds to lavish on hospitality, but if these new corporations were to adhere to the traditions of the City the cost of their banquets would fall upon the rate-payers. A witness examined on this subject before the Select Committee, and who was a member of the Corporation of London, expressed his opinion that it was a *sine quâ non* that hospitality should exist in the new corporations, and estimated that in Marylebone it would entail an expenditure of about £5,000 per annum. He (Mr. Locke) was a member of the Committee, and it appeared to him that London did not want this Bill, but that some peculiar legislation was wanted for the metropolis. He proposed that the present Corporation should be extended to the whole metropolis, and with certain modifications he thought it would in many ways be extremely beneficial to London. The machinery of the Corporation — their staff of officers, who were capable of much more work than they had—would be available for the whole of London; and the funds of the Corporation might be utilized for the same purpose. Then the Corporation had, under a charter of Edward III., the power of altering their own laws, and extending their system of local government—a privilege which they had often before acted upon, and always with great benefit to the public. He had advocated this plan on a former occasion, when he was supported by the worthy Alderman, one of the Members for the City, and by the hon. Gentleman the Member for Manchester. He recommended the plan to the Secretary of State for the Home Department as one that would be much more beneficial and satisfactory to the public than the creation of ten corporations that would always be overshadowed by the old Corporation of London. If such a corporation were created the most eminent men would feel it an honour to be members of it.

Dr. BREWER said, the reason why municipal matters were not so well attended to in the metropolis as in country towns was that in London men did not attend so much to their social duties; there was a want of sympathy between members of the same Boards. In the administration of the Poor Law they ought to have a small area; but it was necessary to have an extensive area for such matters as paving, lighting, and sewage.

Mr. BRUCE said, the subject under discussion had not received, and it was impossible that it could under the circumstances of the case have received, that full consideration from the Government which its importance demanded. He at once admitted that, in his opinion, a subject of such magnitude could be satisfactorily dealt with only by the Government of the day. He wished, at the same time, to express the obligations which were their due to those public-spirited men who had so laboriously and with so much public spirit cleared the way for the solution of the question, by placing before the House their views of what was required for the efficient discharge of the duties of the municipal administration of the affairs of this great metropolis. Hon. Gentlemen might be inclined to agree with them or not, but he thought they could not deny that the two Bills brought before the House this day displayed great care and great ability, and were a proof of the public spirit of those who had taken this subject up. Having said thus much, he would join in the appeal which had been made to his hon. Friend the Member for East Surrey (Mr. Buxton) by the hon. Gentleman who had supported his Motion (Mr. Morrison) that he would not press the second reading of his Bill. He hoped also that his hon. Friend who had moved the Amendment (Mr. Bentinck) would withdraw it. It might be asked why the two Bills which stood on the Paper in reference to the metropolis should not be allowed to proceed if they contained in themselves a satisfactory solution of the difficult question of municipal self-government. Without committing himself or the Government—it would be wrong for him to do so on a question which had not been fully considered—he thought the House would perceive that there were very great doubts as to whether the particular modes of dealing with the question proposed in those Bills were the best which could be adopted. Hon. Members on both sides of the House concurred in thinking that London stood in need of the concentration of its powers of self-government, and that the necessary central authority could not be obtained without the sacrifice of part of those exclusive powers which the great Corporation which managed the affairs of the City possessed. Much difference of opinion, at the same time, prevailed as to the subordinate governments which should be established in a population so large as this. It was impossible, he thought, to divide London into ten corporations, each armed with full powers such as those which were possessed by provincial corporations. Corporations such as those of Manchester and Birmingham managed nearly all the local affairs of those whose interests they represented. They managed the local police, and dealt with the important questions of drainage and water supply. Nobody, he believed, would contend that any of the subordinate corporations which might be established in the metropolis ought to have such powers placed in its hands. Whatever differences of opinion might exist as to matters of detail, no one, he presumed would advocate the proposal that the management of the police force of a great city like London should be subdivided under ten different authorities. As things at present stood, the disadvantage of having the police under two distinct authorities was felt, and the inconveniences of that state of things would be far more than proportionately multiplied if such a subdivision of authority as was proposed should be carried into effect. Again, the supply of water to the metropolis was surely a matter which ought to be managed by a great central authority. The minor operations connected with drainage might be conducted, as now, by vestries or local Boards; but any great undertaking, such as that which had been so successfully executed by the Metropolitan Board of Works, could only be carried out by a central authority. Then, on such matters as the cattle plague, there must be one authority to over-ride the subordinate bodies. That being so, he would ask whether there remained other duties of sufficient importance to justify the establishment, in the metropolis for their discharge, of a number of corporations modelled on those which existed in the provinces, with their mayors, aldermen, and common councilmen? Without expressing any decided opinion on the point—he had merely indicated doubts—he must at least express his concurrence with those who maintained that there existed a necessity for a reduction in the number of the bodies by which the metropolis was now governed. But there was a great difference between nine bodies and thirty-eight. One advantage arising from a reduction in the number would, in his opinion, be that we should be able to secure the services, to manage the affairs of the larger districts which would thus be created, of a class of men different from those who now presented themselves to transact the business of the local Boards. The extension of the area presided over would give increased dignity to those by whom its affairs were managed, while it would, he believed, be conducive to economy. He did not, he might add, concur with the hon. Gentleman who moved the rejection of the Bill in doubting that the change would lead also to increased efficiency. The larger bodies would be disposed generally to employ more skilled and able men, and there would be less jobbery, for hon. Members well knew how private influences might be brought to bear on vestries with the view of inducing their members to do that to which they ought not to assent. Then, again, in the discharge of such duties as the looking after education, the institution of libraries, and other matters of that kind, large were, he believed, likely to be found more efficient than small bodies. But, while in principle he looked upon the concentration of power in large districts as generally sound, he must say that, so far as details were concerned, he had failed to derive much advantage from the discussion which had arisen. He concurred in the opinion that we should avail ourselves, as far as possible, of existing powers, and he hoped that when the Government brought forward a measure dealing with the subject they would have the assistance of the metropolitan Members, and, above all, of that great Corporation which at present wielded such extensive authority, which numbered among its members so many able men, and which derived so much influence from its traditions, so intimately connected with the history of this country. Without such assistance, any attempt to legislate upon the question would be beset with difficulties. As to the course which the Government were prepared to take, he could only say that it was no secret that they were pledged with respect to the business of this Session; and also, to a considerable extent, with respect to the business of the next. No one could tell what might be the fate of the Bill which had lately occupied so much of the time of the House, or whether the Government might not find it necessary to bring that Bill again before the House next Session. They were also pledged to deal with the land question in Ireland—a question surrounded by equal difficulties. Then there was the question of education, which must lead to much discussion, besides the question of licensing and that of local taxation. These were subjects of great complexity and pressing importance, and he might add that every day convinced the Government more and more of the necessity of thoroughly considering, not simply with regard to the metropolis, but in reference to the whole country, the present system of local administration. His right hon. Friend the President of the Poor Law Board had already submitted his views to the House, with respect to the best mode of dealing with the poor in London, while the sanitary condition of the country was the subject of inquiry. There might, therefore, be some advantage in delay, so far as taking up the question under discussion, was concerned. He could not, at all events, undertake to say even that a Bill with respect to it would be introduced next Session; but he would assure the House that the subject would receive the attentive consideration of the Government, and that it would be with great pleasure he would introduce a measure with a view to its settlement as soon as he found himself in a position to do so.

Mr. BUXTON said, that after what had fallen from the right hon. Gentleman the Secretary of State for the Home Department, he was prepared to withdraw his Motion.

Mr. BENTINCK, however, declined to withdraw his Amendment.

Mr. GLADSTONE said, that, as the House was taken by surprise, in consequence of the refusal of the hon. Member to withdraw the Amendment, he should vote for the Motion.

Mr. BENTINCK said, he must deny that the House had been taken by surprise. He had distinctly stated that he intended to press his Amendment.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *negatived.*

Bill *withdrawn.*

SUNDAY AND RAGGED SCHOOLS BILL.

(*Mr. Charles Reed, Mr. Bazley, Mr. Graves, Mr. M'Arthur.*)

(BILL 67.) SECOND READING.

Order for Second Reading read.

Mr. CHARLES REED, in moving that the Bill be now read a second time, said, that the numerous Petitions which had been presented approving of the provisions of the Bill afforded clear and conclusive evidence of the feeling existing in the country on the question. Some persons might think the matter was one of light moment; but he was bound to say that, in his opinion, it was one of very grave importance, and involved interests of a national character. He was glad to see that in this House there was no question attracting greater attention and interest among hon. Members than that which had to do with the education of the humbler classes of the community. It might not be generally known that there was an institution in this country influencing and controlling large masses of the population—an institution which was effecting very great results, and which now, for the first time in its history, came to the Bar of the House of Commons, not to ask for any favour, or exemption from any liability hitherto resting upon it, but to ask that no burden might be placed upon it from this time forth, and that it might be allowed to do its work with the same advantage and success that it had hitherto done to the community at large. He should not exaggerate this matter when he said that the Ragged and Sunday Schools of this country were a power in the land. They were the outgrowth of pious zeal and spontaneous benevolence. They belonged to no party, and although they were certainly supported by different denominations, they were emphatically the institution of the people, and they comprised an educational apparatus to which the people were very much attached. Ever since the great Act of Elizabeth, upon which our Poor Law had been based, schools had been free from liability to local rates, and in the 3 & 4 *Will.* IV. there was an exemption for all churches, chapels, and schools. In the Towns Improvement Clauses Act of 1847, it was expressly provided that no church should be rated, nor any building exclusively used for the purposes of the gratuitous education of the poor. They knew that in Birmingham that Act had come into operation, and no rate had been allowed to rest upon these institutions, and no question would have arisen but for the judicial decision pronounced by Lord Westbury, and subsequently confirmed by Mr. Justice Blackburn, which declared that all buildings of a charitable or eleemosynary character must be rated to the poor. Now this decision had swept away the prescriptive right of centuries, and had involved these schools in great embarrassment. The teachers had been slow to believe it, and he was glad to say the local authorities had been slow to act upon the decision, and still continued to excuse many schools from the rate. Parliament was therefore now asked to decide that question which was at present left open to the local authorities to determine. In 1866, when this question first arose, two inquiries were made in that House. If he did not mistake, one was raised by the hon. Gentleman the Member for North Warwickshire (Mr. Bromley Davenport), and the other by a Gentleman on his side of the House; and the answer distinctly given by the Secretary of State for the Home Department in the late Government was that the subject was under the consideration of the Government, but he could give no promise of a Bill that Session. Now this was rather less ambiguous than many answers given by the occupants of the front Benches, and the Sunday School teachers of the country understood those words as meaning that although the Government had not time to deal with the question then, there was a high probability that they would hereafter bring in a measure to settle this question of difficulty and embarrassment. He held therefore that the late Government did pledge themselves to the teachers of the country that they would give consideration to the settlement of this question. Some deputations had since waited upon Ministers but nothing had been done; and now that a new House of Commons had assembled it was thought, by the friends of these institutions, that the whole question should be brought to a settlement by a Bill. The Government was not to decide the matter; but this House was called upon to declare what the will of the people was with regard to these institutions. In 1782, Robert Raikes — a name not to be mentioned, and especially in the House of Commons, without the greatest respect and reverence — formed the first Ragged School, from which had arisen the whole body of Sunday Schools, at present occupying so high and important a position in the country. Mr. Raikes with a wonderful amount of foresight gathered the children together from the streets of Gloucester, where they were creating the greatest amount of mischief. He hired persons to take charge of them and teach them, and his institution grew until it became so considerable as to be attacked in both Senate and cathedral as one of a dangerous character to the country. But what had happened? That institution, which began in 1782, acquired such strength, that in 1818, there were 5,463 schools in the country with 1,500,000 scholars. By the Census of 1851 there appeared to be 23,498 of these schools, with 2,407,000 children, On March 30, 1851, which was the Sunday upon which the Census was taken, there were present 78 per cent of the whole number of children on the books. This proved that these institutions were no visionary matter. Taking the same basis, he calculated that, in 1869, taking the whole of the schools of the United Kingdom, there would be 3,897,000 children visiting them, their gratuitous teachers numbering no less than 498,000. He could not help thinking the House would view this progress as something wonderful, and, as far as he knew, it had no parallel in history. He quoted, from the Report of Minutes of Evidence taken on Education of the Lower Orders of the Metropolis, 1817, a statement of Mr. Butterworth (Member for Devon), in these words—

> "The political benefits of Sunday Schools to society is incalculable; for not only the principles of loyalty and obedience to the laws are instilled into the minds of the children, but they are fitted to serve the State in various ways by being taught to serve themselves in an industrious and honest course of life. The attachment of children to Sunday Schools and their improvement in them is very considerable. There are a great number of poor children who are employed by their parents during the week, who have no other opportunity than that afforded on Sunday of receiving instruction."

The history of that class of efforts was well written by the pen of a *Quarterly Reviewer*, in these words—

> "Patience and principle have conquered all difficulties, and now we see on each evening of the week hundreds of these young maniacs engaged in diligent study, clothed, and in their right mind. Ladies and gentlemen who walk in purple and fine linen and fare sumptuously every day can form no adequate idea of the pain and toil which the founders and conductors of these schools have joyfully sustained in their simple and fervent piety. Surrendering nearly the whole of the Sabbath—their only day of rest—and often, after many hours of toil, giving, besides, an evening in the week, they have plunged into the foulest localities, fœtid apartments, and harassing duties. All this they have done, and still do, in the genuine spirit of Christian charity, without the hope of recompense of money, or of fame—it staggers, at first, our belief, but, nevertheless, it is true, and many a Sunday School teacher, thus poor and zealous, will rise up in judgment with lazy ecclesiastics, boisterous sectarians, and self-seeking statesmen."

He would say, in the strictest Parliamentary sense, that non-interference in this matter would be unfair, impolitic and oppressive. He said it would be unfair, because churches, chapels, and some other places were exempt from payment of these rates on the ground that they were places of religious worship. He had himself been a Sunday School teacher for forty years, and he spoke in the presence of hon. Gentlemen who had acted in a similar capacity, all of whom would bear testimony that these Ragged and Sunday Schools were conducted upon religious principles, and religion was taught and religious worship carried on within their walls, in the most decorous and proper manner, adapted to the wants of the children frequenting them. It might be asked why did not these schools take a license as places of worship? But that was not what they wanted; what they asked for was a declaration from the House of Commons that they should not lose the exemption hitherto enjoyed by them. These schools had often been held in confined and inconvenient places simply to avoid rating. He had seen one in the belfry of a church; and it did seem hard, when a separate building was procured, there should be a liability to pay the rates. There had been a great extension of school accommodation of late years, and separate buildings had been erected; everything, in fact having been done for their improvement. But what was the reward which they were to get? Why, if they were connected with a church or chapel they were not to be taxed, but if they had a separate building the rate collector woud come and make his demand upon them. The cost of these institutions was borne by the teachers; there was no common fund from which money could be taken to pay this tax, and therefore, he said, to make them liable to pay these rates would be most unfair. Further, he contended that it was of national advantage that these schools should be preserved, and nothing done to discourage their development. It was the first duty of Parliament and of statesmen to repress the growth of the criminal classes as much as they could, and to attack, wherever they met them, ignorance, improvidence, intemperance and vicious habits. This, he believed would be best done in these schools, where children were brought together to get instruction based upon the highest principles of religion and morality. He noticed that there was a tendency in the House to foster purely secular education in our day schools, and if this were done it would render it more necessary to preserve Sunday Schools, where religious instruction would continue to be given. The day school dealt mainly with the mental and the intellectual—the Sunday school with the conscience and the heart; the children would be taught what was their duty, and the Word of God would be set before them as the highest standard of duty. He would quote the opinion of the Dean of Chichester, who, as Vicar of Leeds, had had so ample an opportunity of observing the influence of Sunday schools—

> "The religious education of the people is given in our Sunday Schools. The mainstay of religious education is to be found in our Sunday Schools. The most earnest, the most devoted, the most pious of our several congregations are accustomed with meritorious zeal to dedicate themselves to the great work. All classes are blended together—rich and poor—one with another, rejoice to undertake the office of Sunday School teacher. Many young men and young women who have no other day in the week for recreation and leisure, with a zeal and charity—for which may God Almighty bless them!—consecrate their little leisure on the Lord's Day to the training of little children in the way they ought to go. It is here that we are to look for the real religious education of our people."

He would quote also the opinion of Sir James Kaye Shuttleworth, who avowed that in the Sunday School forty-five years ago he received the first impulse to observe, inquire, and ponder on the methods and discipline of schools for the people, and says—

> "The Sunday School was the root from which sprang our system of day schools. The force which makes religious training the chief aim of the elementary day school was derived from this root. The congregational organization of our school system had the same origin. Long before even enlightened statesmen and leaders of public opinion cared for the education of the people, the congregations had begun the work in the Sunday School. When the Government first attempted to organize national education, it not only found machinery ready to its hand, but it also, after various experiments in other directions, found that the churches and congregations contained within themselves a zeal and a purpose as to public education which existed in no civic body, not even in the Parliament itself."

He referred to the opinion of the President of the Board of Trade, who averred—

> "That in the North of England the whole spirit of the working classes had been touched and moulded by the influence of Sunday Schools."

How much did the criminal classes cost the country? In the district of Lisson Grove, there was a small place which had earned for itself the name of "Little Hell," because it was so pre-eminent for its wickedness, and in that place in the space of fourteen months there had been twenty-eight convictions of children. A Ragged School was now opened in the district, but it had a hard struggle to maintain its existence; and if the collector were to call there for the rates, who could be found who would be able to pay them? In Agar Town there were 464 houses, which contained 698 families, consisting of 2,960 persons. Of these people there were 1,200 under the age of twelve years, and of that number 200 odd went to day schools, while 960 went only to the Sunday and Ragged Schools, and derived there all the education they got. The work of these schools among these most degraded classes was of the utmost value to society. If they desired to check hereditary pauperism and crime, they had no more powerful means at their present command than these Ragged and Sunday Schools. They developed a self-reliant and independent spirit, in proof of which he might mention the case of a boy who had often been convicted, but was induced to attend a Ragged School. Having then applied himself to honest industry, he brought his father and mother out of the workhouse to live with him in his own home. If these schools were to be taxed, where was the money to come from, for there were no school-pence to rely upon? He had returns from a number of districts, stating that the sums the schools would be called upon to pay in consequence of the late legal decision, would be from £5 to £10—a sum equal to the entire annual cost of most small schools. In Manchester and Salford upwards of 10,000 children were regular attendants at the Ragged Schools; but half the present number of schools would have to be shut up if they were to be called upon to pay rates. In the opinion of the best judges, to have to pay these rates would be a most embarrassing thing for most of the schools, and they would be placed in a position of the greatest difficulty. Most of the schools were now in debt, and such a thing as a surplus at the end of the year was an unknown quantity with them. At this moment the Ragged Schools of London, for instance, owed £4,200; and to cast this new burden upon them would be to prevent the planting of new schools where they were most wanted, to retard the advancement of education, and rather increase than diminish the poor rates of the country. There was another element of good in these schools. They promoted a fusion of classes, developing the sympathy of the rich towards the poor. The admission of the lay element in giving instruction in the schools was most valuable in that respect. How was it that the poor could not be got into the church in Bishopsgate, now about to be abandoned? They had been told that the poor would go to the school with their children, and therefore it was thought better to erect schools rather than to build a new church. The daughters of the wealthy classes gave regular instruction to these poor children, and exercised a most useful influence, through the children, upon the parents. When the *Lives of the Lord Chancellors* came to be extended, it would be recorded to the honour of the present Lord Chancellor, and as a bright example for imitation, that for four and thirty years, in the midst of his arduous professional labours, he had devoted his Sunday mornings to teaching some of the poor children of Westminster. He would quote a passage from the *Quarterly Review*—

> "It is a fact that some 2,000,000 of families from the humbler classes in this country are intrusting their children every Sunday to the affectionate and pious care of 250,000 of young persons. This bond of pure moral confidence which unites these millions of parents with these myriads of teachers does not a little to diffuse through the land the wholesome conviction that religion, after all, is not a thing of mere convention, or only another form of human selfishness, but a generous reality. Anything that should tend to disturb this course of unpaid, unbidden, self-denying effort on the one hand, or to take away occasion for this moral response so strong and natural on the other, would not only be a national calamity, but one, the extent of which no man could limit."

It was difficult to exaggerate the influence of these Ragged Schools, and an attentive observer — the Commissioner of the *Daily Telegraph*—noticed their power and that of Sunday Schools during the cotton famine in Lancashire. To tax these schools would be a most oppressive thing. It had been said that there was a difficulty in drawing a line with regard to the payment of poor rates, but the line was drawn already. The exemption applied to Government buildings, places of worship, University buildings; and if the great training places for the richer classes were exempted, why should these schools, in which the lowest classes in the country were trained, be made to pay? The greater the inability to meet the demand for payment of these rates, the more merciful should be the consideration shown. This was to a great extent the people's own effort, for of the teachers in Sunday and Ragged Schools 80 per cent had been scholars there, and now showed how much they felt the value of such institutions by giving their gratuitous services in extending to others the benefit they had received themselves. They pleaded that payment of the tax would involve an increase of 50 per cent in the expenditure of the schools. It should be remembered that the Sunday Schools had been the pioneers of education in this country, and, as the Dean of Chichester had said, they were the mainstay of our religious education. You might as well tax the lifeboat, the lighthouse, or the fire-escape, as schools which tried to rescue poor children from the temptations of the streets. Those schools, although they were denominational, were not used for the purposes of sectarian teaching. The children who attended them received scriptural instruction; virtuous habits were inculcated, and that appeal to the Word of God which had been declared to be the source and guarantee of our national prosperity—

> "This lamp
> From off the Everlasting throne, Mercy took down,
> And in the night of time stood evermore,
> Beseeching men, to hear, believe, and live."

He desired that this instruction might pervade the length and breadth of the land, and on all these grounds he trusted the House would support him by voting for the second reading of the Bill.

MR. GRAVES, in seconding the Motion, said, that unanswerable reasons had been given by the hon. Member (Mr. C. Reed) in behalf of a principle which he (Mr. Graves) believed would commend itself to the sympathy and support of the House. It would probably be objected against it that it was only piecemeal legislation, but there was nothing which was more convenient for escaping the necessity of immediate action than to go off with the pretext of piecemeal legislation. This Bill simply sought to lay down a law which had been in operation for three centuries, and to set aside the decision of one of the tribunals of the country with regard to it. Another objection urged against the Bill was that it was most desirable to adopt a broad and intelligible principle in assessment to the poor—that we should have no exemptions whatever, but should lay down one hard and fast line for every class and description of property to whatever purposes it might be applied. No doubt that would be a convenient and advantageous principle. Some of the exemptions under the statute of Elizabeth had been carried to such an extreme that the owners of private property had not unnaturally sought to have the area of chargeability extended to more public property. But why, because they had gone to one extreme should they now go to the other? There was no wisdom or force in such legislation. A system which failed to distinguish in the rateability to the poor between that which created and that which prevented pauperism, was questionable, if not entirely wrong. These schools were a power in the State, and greatly tended to diminish pauperism and crime. It was only those who resided in large towns who were aware of the great benefit conferred by Ragged Schools, and he trusted therefore that the voice of the representatives of large towns would be raised in favour of giving the relief prayed for. What was the Sunday School but the outwork of a place of worship? And what was the Ragged School but the outwork of a poor-house? The Act 3 & 4 *Will.* IV. specially provided that schools in vestry rooms, whether attached to places of worship or not, should not be liable to be rated for the relief of the poor, and this conceded the very principle they were now contending for. In Ireland, by a still more recent Act, all charitable institutions were exempt from rating to the poor; in Scotland the Crown lands and all institutions connected with science, literature, and art were similarly exempt; and even in England, collegiate institutions, places of worship, and Imperial buildings were exempted from rating. What, then, became of the hard and fast line? Not one shilling of State aid had been given to the Sunday or Ragged Schools. The present Bill, not of a compulsory character, only sought to enforce the law — it only sought to give permission to support these institutions in this most indirect and paltry way. He hoped that the Government would not, by opposing the measure, in which he was sure they would not be supported by the country, take upon themselves a responsibility which he did not covet.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. C. Reed.*)

MR. PERCY WYNDHAM said, he must admit that the hon. Member for Hackney (Mr. C. Reed) had not said a word too much in praise of the advantages to be derived from education, and of the services rendered by the teachers of these schools. At the same time, he thought the principle involved in the Bill was an unsound principle, and one which, if once recognized, it would be found most difficult to limit in its operation. The House should remember that the exemption of one class of property from poor rates meant the increase of these rates on another class; and why should the rates on other schools be increased by the exemption of Sunday and Ragged Schools? The measure was not a progressive, but a retrogressive measure; for the tendency of recent legislation, as in the case of mines, had been to rate all descriptions of property, instead of multiplying exemptions. He believed that the hon. Member for Liverpool (Mr. Graves) was mistaken if he supposed that the Colleges were not rated; and if he meant only that the University buildings devoted to science or literature were exempt, the best thing would be to remove that exemption. Believing that to concede the exemption of Sunday and Ragged Schools would only be to create a similar demand in the case of other institutions, which some might believe as useful as these, he begged to move that the Bill be read a second time upon this day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Percy Wyndham.*)

MR. GOSCHEN said, he felt confident that, however anxious hon. Members might be that the Bill should be read a second time, they would see the propriety of the Government stating their views with regard to it; for it would be admitted, after the able speech of the hon. Gentleman who moved the second reading (Mr. C. Reed), that the matter was one of considerable importance, and deserving the patient consideration of the House. It was the pleasant privilege of private Members to look at such a Bill as this simply from the point of view of the good which that Bill would effect, and not at its general bearing. It was the duty of the Government, however—though sometimes a hard and unpopular duty — to see how far a Bill which, taken by itself, might be beneficial, ought to be adopted by Parliament, having regard to the general scope of legislation. Now, the House had requested the Government to undertake the consideration of the whole question of local taxation, and no branch of that question was more important than that of exempting particular descriptions of property from rating. It would be necessary in such a case to consider the question of the exemption of Government property, as well as of charitable institutions and of schools generally. He entirely concurred in all that had been said by the hon. Member for Hackney (Mr. C. Reed) with regard to the importance of these charitable institutions, and he (Mr. Goschen) did hope, that whatever criticisms might be passed upon the course which the Government would feel it their duty to take on the present occasion, it would not be said that they undervalued the benefits conferred by Sunday and Ragged Schools. The hon. Gentleman had, no doubt, made out a strong case on behalf of these institutions, but he (Mr. Goschen) contended that the case made out by the hon. Member was just as strong in favour of giving direct aid to Sunday and Ragged Schools out of the rates as it was in favour of relieving them from rates. [MR. C. REED: We do not ask for a rate.] His hon. Friend said they did not ask for a penny, but they really did. What was more, he (Mr. Goschen) thought it was an open question whether direct aid should not be given to them. Whenever the general subject of supporting schools by rates came to be discussed, then would be the time to consider the propriety of giving them direct aid. At present, however, they wished to be considered as relying on voluntary contributions, while indirectly they were securing public aid. Now, it was only right that we should know on which of these principles they rested; because, if they were to have public privileges, they must assume public responsibilities; the public would have a right to know how these schools were conducted; and it would be a question how far they ought to fall in with any system of assisting schools from the rates which might come before the country. At all events, they could not be viewed as solely supported by charitable contributions, if they enjoyed exemptions from taxation which other institutions did not enjoy. No machinery was provided in the Bill for carrying out the object of the measure. The Bill simply asked that Sunday and Ragged Schools should be exempted from rating. Was this exemption to apply to all buildings, whether used occasionally or exclusively for this purpose? [An hon. MEMBER: Exclusively.] That was an important admission, but it was not in the Bill. The position, then, would be this—if a building was used exclusively for a Sunday School—that was, once in seven days—it was to be exempted from rating; but if it was to be put to other uses during the week, it was not to be so exempted. So that the School Committee would be placed in this dilemma — that if they used this building for any other purpose—say, for a day school—they would forfeit their claim to be exempted from rating. With respect to Ragged Schools, many of them were held, not in separate buildings, but in houses which were rated. There was no definition given of a Sunday School, and none could be given except that it was a school which met on a Sunday. It might be a school held on Sunday in which no religion was taught at all, or might be irreligious. There were different schools that met on Sundays for secular teaching. A number of workmen might meet to hear a person read history for them, which would be instructive, and might be considered a Sunday School. He did not wish to base his opposition to the Bill on these grounds, because it might be that such objections might be met in Committee. The Bill exempted Ragged Schools as well as Sunday Schools from rating, but did not define what a Ragged School was; and he asked whether all schools where gratuitous education was given were to be considered Ragged Schools? It was his business to place these practical difficulties before the House, and if the Amendment were pressed to a division he should feel bound to vote against the Bill, otherwise he would have been content to move the Previous Question, looking on this subject as one of a class which must come under consideration when the whole question of local taxation was dealt with.

MR. BARROW said, he had always understood the object of the Act of Queen Elizabeth was to tax the "beneficial occupation" of a building; but those schools were not, in the legal sense, beneficially occupied, although they were productive of immense advantage to the public, through the spread of education and the suppression of crime. He represented between 100 and 200 parishes in South Nottinghamshire, and he did not believe there was a single individual in the whole of that constituency who desired that these schools should be rated.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 228; Noes 71: Majority 157.

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *Tuesday* next.

DEBTS OF DECEASED PERSONS BILL.

On Motion of Mr. HINDE PALMER, Bill to abolish the distinction as to priority of payment which now exists between the Specialty and Simple Contract Debts of Deceased Persons, *ordered* to be brought in by Mr. HINDE PALMER, Mr. LOCKE KING, and Mr. HEADLAM.

Bill *presented*, and read the first time. [Bill 165.]

POOR LAW BOARD PROVISIONAL ORDERS CONFIRMATION BILL.

On Motion of Mr. PEEL, Bill to confirm three Provisional Orders made by the Poor Law Board, under "The Poor Law Amendment Act, 1867," with reference to the city of Chester, the incorporated hundreds of Tunstead and Happing, in the county of Norfolk, and the parish of Wool Lavington, in the county of Sussex, *ordered* to be brought in by Mr. PEEL and Mr. GOSCHEN.

Bill *presented*, and read the first time. [Bill 166.]

METROPOLITAN COMMONS ACT (1866) AMENDMENT BILL.

Select Committee on the Metropolitan Commons Act (1866) Amendment Bill *nominated*:—Mr. KNATCHBULL-HUGESSEN, Mr. FREDERICK STANLEY, Mr. BONHAM-CARTER, Mr. KNIGHT, Mr. BUXTON, Lord GEORGE HAMILTON, Mr. ANDREW JOHNSTON, Sir HENRY SELWIN-IBBETSON, Mr. CHARLES REED, Mr. ROWLAND WINN, Mr. HENRY SAMUELSON, Colonel BARTTELOT, and Mr. THOMAS CHAMBERS:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at five minutes before Six o'clock.

APPENDIX.

HOUSE OF COMMONS, MONDAY, 7TH JUNE, 1869.

MUNICIPAL FRANCHISE BILL.

[BILL. 85] CONSIDERATION.

Bill, as amended, *considered.*

Mr. JACOB BRIGHT moved a new lause—

"That in this Act and the said recited Act Municipal Corporation Reform Act, 1835) wherever words occur which import the masculine ender, the same shall be held to include females r all purposes connected with and having refer- nce to the election of or power to elect represen- tives of any municipal corporation.

Iis object was to give the municipal ote to every rate-payer within the muni- ipal limits; to give to municipal property ne representation which all property njoyed elewhere. Had the proposition een an innovation — a departure from ne custom and customary legislation of ne country—he would not have brought in as an Amendment to a Bill; but, is object was to remove an innovation —to resist one of the most remarkable nvasions of long established rights hich the legislation of this or any ther country could show. The Bill be- ore the House was an Amendment of he Municipal Corporation Act of 1835. hat Act was the only Act in regard to ocal expenditure and local government hich established this disability. Before nd since, all Acts of Parliament gave very local vote to every rate-payer. The Iealth of Towns Act of 1848 had a ause almost identical with the one he as moving. He was therefore asking ne House not only to make the Bill in armony with the general legislation of ne country, but to allow it to be in har- ony with its latest expressed convic- ons as shown in the Act of 1848. There were in England seventy-eight non-corporate towns which were not Parliamentary boroughs, with populations varying from 20,000 to 6,000; in these every rate-payer voted. There was little, if any difference between their government and that of municipal towns. Who could assign a reason why women should vote in one and not in the other? Every parochial vote was in the hands of the whole body of rate-payers. Women held the most important parochial offices. The sister of the Member for Stockport had acted as overseer. Miss Burdett Coutts had been urged to take the office of guardian. Had she been a large rate-payer in a municipal town, what an absurdity to shut her out from the vote! To show how the process of disfranchisement was going on, the hon. Member quoted Darlington and Southport. The latter town was incorporated in 1867. In 1866, 2,085 persons were qualified to vote for Commissioners; 588 of these were women. From the moment of incorporation these votes were extinguished, without a reason being assigned, though they had exercised them from time immemorial. Such would be the case with any town incorporated for the future. He appealed to the metropolitan Members, and showed them that unless his clauses were carried, when they came to establish corporations throughout the metropolis, as some of them desired, all the female rate-payers would be struck of the roll; that over a population of 3,000,000 of people this exclusion would prevail. He stated that where women had the vote they exercised it to an equal degree with the men. Mr. Lings, the secretary to the Board of Overseers of Manchester, affirms that according to his experience the number of men and women who vote in local affairs bears a just proportion to the number of each on the register. He showed that, as the Bill was a largely enfranchising measure, his clause was in strict harmony with the Bill; but that, while the Bill sought to increase the representation of those who were already considerably represented, the clause which he wished to add would give representation to those who, within the municipal towns, were totally deprived of it. He concluded by saying that questions had come to him, since these Amendments had been on the Paper, from women in different parts of the country, and from those who by their social and intellectual positions might be regarded as representatives of their sex, asking why there shonld always be this tender regard for the representation, and therefore the protection of men, and this apparent disregard for the interests of women; and he appealed to the House by its decision, to show that as regards these local franchises, it had a common regard for the whole body of rate-payers.

Mr. RYLANDS seconded the Motion.

Mr. BRUCE said, that the hon. Member had shown conclusively that this proposition was no novelty, and that in every form of local government, except under the Municipal Corporation Act, females were allowed to vote. The clause introduced no anomaly, and he should give it his cordial support.

Motion *agreed to.*

Clause *added* to the Bill.

Sir CHARLES WENTWORTH DILKE *moved*, in Clause 1, omit the word "male."

Amendment *agreed to.*

Other Amendments made.

Mr. DODDS, in the absence of Mr. Stevenson, *moved* the addition of a clause—

(Qualification of aldermen and councillors.)

"When any borough consisting of less than four wards shall at any time hereafter be divided into a greater number of wards, the qualification for an alderman or councillor of such borough shall not be increased or altered in consequence of such division, but shall continue the same as i such borough consisted of less than four wards."

Clause *agreed to* and *added* to the Bill.

Mr. HIBBERT *moved* the insertion o a clause permitting a councillor or alderman to reside within twenty miles of a borough.

On Motion of Mr. Bruce the figures "fifteen" substituted in place o "twenty."

Clause *agreed to.*

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CXCVI.

THIRD VOLUME OF SESSION 1868-9.

Explanation of the Abbreviations.

In Bills, Read 1^{o}, 2^{o}, 3^{o}, or 1^{a}, 2^{a}, 3^{a}, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—1*st. Div.*, 2*nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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c. Committee *; Report *May* 11 [Bill 116]
Re-comm. *; Report *May* 27
Considered * *June* 1 [Bill 141]
Read 3° * *June* 7
l. Read 1ª * (*The Marquess of Salisbury*) *June* 8
Moved, "That the Bill be now read 2ª" *June* 11, 1583; after short debate, Bill read 2ª (No. 122)

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- *Dockyard Emigrants*, Question, Sir Harry Verney; Answer, Mr. Monsell *May* 4, 105; Question, Mr. Alderman Salomons; Answer, Mr. Childers *June* 7, 1297
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CHAMBERS, Mr. T., *Marylebone*
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CHURCH OF ENGLAND
Bishops of Protestant Churches—Ecclesiastical Titles Act, Question, Lord Colchester ; Answer, Earl Granville *June* 7, 1280
Bishops of Winchester, Salisbury, Exeter, and Bath and Wells, Question, The Duke of Somerset ; Answer, The Archbishop of Canterbury ; short debate thereon *May* 3, 4
In the Colonies—Natal—Case of the Rev. Mr. Green, Question, Mr. Thomas Hughes ; Answer, Mr. Monsell *May* 10, 467

Civil Offices Pensions Bill
(*Mr. Dodson, Mr. Gladstone, Mr. Chancellor of the Exchequer*)
c. Order for Committee read ; Moved, "That Mr. Speaker do now leave the Chair" *May* 27, 858 [Bill 42]
Amendt. to leave out from "That" and add "in the opinion of this House, the further consideration of this Bill ought to be deferred until an inquiry has been made into the duties attached to some Political Offices
[*cont.*

Civil Offices Pensions Bill—cont.
which are now regarded as comparatively sinecure, and which offices for the first time will be entitled to Pensions under this Bill" (*Mr. Fawcett*); Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn; main Question, "That Mr. Speaker, &c.," agreed to; Committee; Report, 868 [Bill 133]
Question, Mr. Fawcett; Answer, Mr. Gladstone *June* 1, 1097

Civil Service Pensions Bill
(*The Marquess of Salisbury*)
l. Moved, "That the House do now resolve itself into a Committee on the said Bill" *May* 4, 81; after short debate, Committee; Report
Read 3ª* *May* 13 (No. 53)
Royal Assent *June* 24 [32 & 33 *Vict.* c. 15]

CLANCARTY, Earl of
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Life Peerages, Comm. 1189
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Coal Fields
Motion for an Address "respecting the Report of the Royal Commission on the Exhaustion of the Coal Fields appointed in July 1866" (*Mr. Pease*) *June* 15, 1910; after short debate, Motion withdrawn

COLCHESTER, Lord
Bishops of Protestant Churches, 1280

COLEBROOKE, Sir T. E., *Lanarkshire, S.*
Scotland—Endowed Schools, &c., Motion for a Commission, 1439, 1445

COLERIDGE, Sir J. D., *see* SOLICITOR GENERAL, The

COLLIER, Sir R. P., *see* ATTORNEY GENERAL, The

COLLINS, Mr. T., *Boston*
Army Estimates—Militia, &c. 1574
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Irish Church, Comm. *cl.* 32, 46; *cl.* 39, 297
Marriage with a Deceased Wife's Sister, Comm. Amendt. 1448
Parliament—Dublin City Writ, 1792

Colonial Prisoners Removal Bill [H.L.]
(*The Earl Granville*)
l. Royal Assent *May* 13 [32 *Vict.* c. 10]

Colonial Returns
Question, Colonel Sykes; Answer, Mr. Monsell *May* 10, 470

COLONSAY, Lord
North British Railway—Accidental Deaths, Motion for a Paper, 570
Parochial Schools (Scotland), Comm. 442; *cl.* 20, Amendt. 459; *cl.* 37, 461; *cl.* 70, Amendt. 466; Report, 1283; Amendt. 1284, 1286; *cl.* 28, 1290

Commissioners of Taxes—Clerks to Local
Question, Mr. Hunt; Answer, The Chancellor of the Exchequer *June* 3, 1207

Companies Clauses Act (1863) Amendment Bill
(*Mr. Goldney, Mr. Eykyn*)
c. Ordered; read 1º* *May* 28 [Bill 138]
Read 2º* *June* 9

CONOLLY, Mr. T., *Donegal Co.*
Irish Church, Comm. *cl.* 32, 37, 47; *cl.* 39, 134, 135, 148
O'Sullivan's Disability, Leave, 234

Consolidated Fund (£17,100,000) Bill
l. Committee*; Report *May* 3
Read 3ª* *May* 4
Royal Assent *May* 13 [32 *Vict.* c. 8]

Contagious Diseases Act (1866)
Moved, That a Select Committee be appointed "to inquire into the working of the Contagious Diseases Act, 1866, and to consider whether, and how far, and under what conditions, it may be expedient to extend its operation" (*Mr. Secretary Bruce*) *May* 13, 808; after short debate, Motion agreed to; List of the Committee, 809

Contagious Diseases Act (1866) Amendment Bill (*The Marquess Townshend*)
l. Bill withdrawn* *May* 7 (No. 29)

Contagious Diseases (Animals) Bill
Question, Lord Robert Montagu; Answer, Mr. W. E. Forster *June* 10, 1498

Contagious Diseases (Animals) (No. 2) Bill
(*Mr. Dodson, Mr. W. E. Forster, Mr. Secretary Bruce*)
c. Committee*; Report *May* 3 [Bill 103]
Re-comm*—R.P. *June* 14

Copyright (Periodicals) Bill
(*Mr. Ayrton, Mr. Chancellor of the Exchequer*)
c. Bill withdrawn* *June* 10 [Bill 93]

Corbett, Colonel E., *Shropshire, S.*
Diplomatic Salaries, &c. Comm. *cl.* 7, 1339
Permissive Prohibitory Liquor, 2R. 667
Real Property, Res. 600

Corporation of London Bill
(*Mr. Buxton, Mr. Thomas Hughes*)
c. Bill withdrawn* *June* 16 [Bill 40]

Corrance, Mr. F. S., *Suffolk, E.*
Assessed Rates, 2R. 1304
Pauperism and Vagrancy, Motion for a Committee, 471, 495, 538
Ways and Means—Customs and Excise Duties, Res. 2, Amendt. 795, 796, 799

County Coroners Bill
(*Mr. Goldney, Mr. Thomas Chambers, Mr. Pease*)
c. Read 2°* *May* 27 [Bill 75]
Committee *; Report *May* 28 [Bill 135]

County Courts Bill
(*Mr. Norwood, Mr. Akroyd, Mr. Mundella*)
c. Moved, "That the Bill be now read 2°" *May* 12, 684; after short debate, Debate adjourned
Bill withdrawn* *May* 27 [Bill 9]

County Courts (Admiralty Jurisdiction) Act (1868) Amendment Bill
(*Mr. Norwood, Mr. Headlam, Mr. Candlish*)
c. Ordered; read 1°* *May* 12 [Bill 121]

County Financial Arrangements
Question, Mr. Read; Answer, Mr. Knatchbull-Hugessen *May* 28, 879

County Financial Boards Bill
(*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce, Mr. Arthur Peel*)
c. Motion for Leave (*Mr. Knatchbull-Hugessen*) *May* 11, 602; after debate, Bill ordered; read 1°* [Bill 119]

Court of Probate (Registrar Clerks)
Question, Mr. Monk; Answer, Mr. Ayrton *June* 10, 1495

Court of Session Act (1868) Amendment Bill (*The Lord Advocate, Mr. Secretary Bruce, Mr. Solicitor General for Scotland*)
c. Ordered; read 1°* *June* 3 [Bill 145]

Courts of Justice (New Site) Bill
(*Mr. Layard, Mr. Chancellor of the Exchequer, Mr. Ayrton*)
c. Motion for Leave (*Mr. Layard*) *May* 10, 538; after long debate, Bill ordered; read 1°* [Bill 113]

Courts of Justice—The New
Designs, Question, Mr. Bentinck; Answer, Mr. Layard *June* 3, 1209
Site, Questions, Mr. Pemberton, Lord Henry Lennox; Answers, Mr. Layard *May* 3, 14; Question, Mr. Bentinck; Answer, The Chancellor of the Exchequer *June* 10, 1496

Cowper, Earl
Ireland—State of, 732

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Metropolis—Victoria Park, 749

Craufurd, Mr. E. H. J., *Ayr, &c.*
Game Laws (Scotland), Nomination of Committee, 1783
Scotland—Sheriff Courts, 1635

Crawford, Mr. R. W., *London*
Customs and Inland Revenue, Comm. 819, 823, 836; *cl.* 4, Amendt. 842; *cl.* 8, 844; *cl.* 18, 847

Crimea—British Graves in the
Question, Mr. Stopford; Answer, Mr. Otway *May* 3, 17; *May* 13, 747

Criminal Law
Brentford Magistrates—Sentence on Children, Question, Mr. Bowring; Answer, Mr. Bruce *May* 31, 970
Costs of Prosecutions, Question, Mr. Hunt; Answer, The Chancellor of the Exchequer *May* 27, 811
Reformatory Schools—Juvenile Offenders in, Question, Dr. Lush; Answer, Mr. Bruce *May* 13, 742
Salisbury Magistrates, Observations, Mr. P. A. Taylor; Reply, Mr. Bruce; short debate thereon *June* 11, 1608

Cross, Mr. R. A., *Lancashire, S.W.*
Bankruptcy, Comm. *cl.* 46, 1407; *cl.* 59, 1603
County Financial Boards, Leave, 613
Salisbury Magistrates, 1619
Ways and Means—Customs and Excise Duties, Res. 2, 784, 792

Cubitt, Mr. G., *Surrey, W.*
United States—Speer, Captain, Murder of, 1498

Customs and Inland Revenue Duties Bill
(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Ayrton*)
c. Bill read 2°, after debate *May* 11, 585 [Bill 95]
Committee *May* 27, 812; after debate, Report
Considered* *May* 31 [Bill 132]
Read 3°* *June* 1
l. Read 1ª* (*The Marquess of Lansdowne*) *June* 3 (No. 111)
Moved, "That the Bill be now read 2ª" *June* 11, 1585; after short debate, Bill read 2ª
Committee*; Report *June* 14
Read 3ª* *June* 15
Royal Assent *June* 24 [32 & 33 *Vict.* c. 14]

Dalglish, Mr. R., *Glasgow*
Portugal—Claims on the Government, 1243
Ways and Means—Customs and Excise Duties, Res. 2, 807

Dalhousie, Earl of
North British Railway—Accidental Deaths, Motion for a Paper, 568, 569
Parochial Schools (Scotland), Comm. 442; *cl.* 21, 460; *cl.* 37, 461
Scotland—Police Systems, 706

Dalrymple, Mr. C., *Buteshire*
Irish Church, Comm. *cl.* 39, 140

Dalrymple, Mr. D., *Bath*
Metropolitan Poor Act (1867) Amendment, 2R. 1367
Permissive Prohibitory Liquor, 2R. 680

Dalway, Mr. M. R., *Carrickfergus*
Permissive Prohibitory Liquor, 2R. 664

Damer, Hon. Captain L. Dawson-, *Portarlington*
Parliament—Dublin City Writ, 1792

Dawson, Mr. R. Peel-, *Londonderry Co.*
Ireland—Cork, Mayor of, 13, 102
Irish Church, Comm. *cl.* 36, 67, 68

Debts of Deceased Persons Bill
(*Mr. Hinde Palmer, Mr. Locke King, Mr. Headlam*)
c. Ordered; read 1°* *June* 16 [Bill 165]

De Grey and Ripon, Earl (Lord President of the Council)
Aggravated Assaults Amendment, 2R. 565
Irish Church, 2R. 1878
Parochial Schools (Scotland), Comm. *cl.* 1, 445; *cl.* 19, 448; *cl.* 20, 458; *cl.* 68, 464

Denbigh, Earl of
Parochial Schools (Scotland), Comm. *cl.* 20, 458

Denison, Right Hon. J. E. (*see* Speaker, The)

Denison, Mr. C. Beckett-, *Yorkshire, W. R., E. Div.*
India—Punjaub Tenancy Act, 1591

Denison, Mr. E., *Newark*
Pauperism and Vagrancy, Motion for a Committee, 501

Denman, Hon. G., *Tiverton*
Bankruptcy, Comm. *cl.* 4, 1212; *cl.* 6, 1215; *cl.* 91, 1899
County Courts, 2R. 685
Patents for Inventions, Res. 922

Dent, Mr. J. D., *Scarborough*
Customs and Inland Revenue, Comm. *cl.* 18, 847
Mail Contracts, Res. 1147
Parliament—Whitsuntide Recess, 585

Derby, Earl of
Beerhouses, &c. 2R. 1584
Ireland—State of, 718, 720, 724, 726
Under Secretary to the Lord Lieutenant, 1090

De Ros, Lord
Ireland—Under Secretary to the Lord Lieutenant, 1092
Militia, 3R. 99

Derry, Bishop of
Irish Church, 2R. 1728

Devon, Earl of
Irish Church, 1279

Dickson, Major A. G., *Dover*
Army—Wightman, Ensign, Case of, 388

Dilke, Sir C. W., *Chelsea*
British Columbia, Motion for Papers, 1121
Metropolitan Poor Act (1867) Amendment, 2R. 1349

Dillwyn, Mr. L. L., *Swansea*
Endowed Schools, Comm. *cl.* A. 12, 1764
Railways—Accident at Abergele, 938
South Kensington Museum, Motion for a Paper, 1635

Diplomatic Pensions
Question, Mr. Staveley Hill; Answer, Mr. Otway *June* 11, 1589

Diplomatic Service [Salaries and Allowances] Bill (*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Stansfeld*)
c. Resolution in Committee *May* 10
Resolution reported; Bill ordered; read 1°* *May* 11 [Bill 118]
Read 2°* *May* 27
Committee*—R.P. *June* 3
Committee; Report *June* 7, 1336
Considered* *June* 10
Read 3°* *June* 11
l. Read 1ª* (*The Earl of Clarendon*) *June* 14 (No. 128)

Disraeli, Right Hon. B., *Buckinghamshire*
Irish Church, Comm. *cl.* 32, Amendt. 44; *cl.* 33, 62, 66; *cl.* 39, 292; 3R. 1042
O'Sullivan's Disability, Leave, 208, 212

Dixon, Mr. G., *Birmingham*
Clergy, The, and Parliament, 746
Endowed Schools, Comm. *cl.* 31, Amendt. 1779

Dodson, Mr. J. G. (Chairman of the Committee of Ways and Means), *Sussex, E.*
Irish Church, Comm. *cl.* 32, 23; *cl.* 37, 74; *cl.* 39, 147, 267, 308, 318

Downing, Mr. McCarthy, *Cork Co.*
Irish Church, Comm. *cl.* 33, 54;* *cl.* 39, 311
O'Sullivan's Disability, Leave, 232; 2R. 584

Dowse, Mr. Serjeant R., *Londonderry Bo.*
Bankruptcy, Comm. *cl.* 13, 1220; *cl.* 14, 1224
Ireland—Londonderry, Riots in, 20
Irish Church, Comm. *cl.* 33, Amendt. 55, 65; *cl.* 36, 70, 71; *cl.* 58, 394, 412
Sea Fisheries (Ireland), 2R. 1477
Statute Law, Revision of the, Res. 1253

Drainage and Improvement of Lands (Ireland) Supplemental (No. 2) Bill
(*Mr. Ayrton, Mr. Glyn*)
c. Ordered * *June* 7
Read 1° * *June* 8 [Bill 151]
Read 2° * *June* 14
Committee * *June* 16

Dublin, Archbishop of
Irish Church, 2R. 1809

Dublin City Election—Joint Address to Her Majesty
In the Commons Address to Her Majesty, Moved that the blank be filled up with ("Lords Spiritual and Temporal, and") (*The Lord Chancellor*) *June* 8, 1394
Amendt. to leave out from ("the,") and insert ("said Address be taken into consideration this day six months") (*The Lord Cairns*); after short debate, Amendt. agreed to, and Address to be taken into consideration this day six months
Message to the House of Commons "That this House, having considered the report of the judge appointed to try a petition complaining of an undue election and return for the city of Dublin, do not think it expedient to address Her Majesty praying Her Majesty to cause inquiry to be made pursuant to the provisions of the Act 31st and 32d Vict. chap. 125"

Dublin City Writ
Moved, "That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Ireland, to make out a new Writ for the electing of a Citizen to serve in this present Parliament for the City of Dublin, in the room of Sir Arthur Guinness, baronet, whose Election has been determined to be void" (*Mr. Noel*) *June* 14, 1784
Amendt. to leave out from "That," and add "leave be given to bring in a Bill for disfranchising the Freemen of the City of Dublin" (*Sir George Grey*); after short debate, Question put, "That the words, &c.;" A. 169, N. 215; M. 46
Question proposed, "That those words be there added;" after debate, Debate adjourned, 1793

Duff, Mr. M. E. Grant (Under Secretary of State for India), *Elgin, &c.*
India—Questions, &c.
Bank of Bengal, 1237
Civil Service, 1208
Mysore, Maharajah of, 1495
Punjaub Tenancy Act, 748, 1592
Railways, 744
Revenues of, 16

Duff, Mr. R. W., *Banffshire*
Game Laws (Scotland), Nomination of Committee, 634

Dunsany, Lord
Ireland—Under Secretary to the Lord Lieutenant, 1088

Eastwick, Mr. E. B., *Penryn, &c.*
Abyssinian War, Motion for a Committee, 1432
Barking Creek—Sewage Outfall, 260
India—Civil Service, 1208
Light Dues, Res. 157
Mayors, Removal of, 572
Post Office—Landing Mails at a Western Port, 933

Egerton, Hon. A. F., *Lancashire, S.E.*
Army Estimates—Yeomanry, 1576
Irish Church, Comm. *cl.* 39, 120

Egerton, Mr. E. C., *Cheshire, E.*
Austria—Commercial Treaty with, 970

Egypt—The Viceroy—Suppression of the Slave Trade
Question, Mr. Buxton; Answer, Mr. Otway *June* 3, 1205

Elcho, Lord, *Haddingtonshire*
Army of Reserve, Res. 1499, 1527, 1565
Game Laws (Scotland), Nomination of Committee, 631, 636
Hypothec Abolition (Scotland), 2R. Amendt. 251, 253
Irish Church, 3R. 982, 1000
Metropolis—Statues in Palace Yard, 1742
Parliament—Whitsuntide Holidays, 809
Patents for Inventions, Res. 917

Election Commissioners [Expenses] Bill
(*Mr. Dodson, Mr. Attorney General, Mr. Ayrton*)
c. Resolution in Committee *May* 4
Resolution reported; Bill ordered; read 1° * *May* 5 [Bill 109]
Read 2° * *May* 27
Committee *—R.P. *May* 28
Committee *; Report *May* 31 [Bill 139]
Considered * *June* 3
Read 3° * *June* 7
l. Read 1ª * (*The Earl of Kimberley*) *June* 8
Moved, "That the Bill be now read 2ª" *June* 11, 1588; Bill read 2ª (No. 121)
Committee *; Report *June* 14
Read 3ª * *June* 15
Royal Assent *June* 24 [32 & 33 *Vict.* c. 21]

Election Inquiries
Election Commissions, Question, Sir James Elphinstone; Answer, The Attorney General *May* 13, 750
Reports of the Judges on Election Inquiries, Observations, The Lord Chancellor *June* 7, 1294; *June* 8, 1391
Undue Influence and Bribery, Question, Mr. J. S. Hardy; Answer, The Solicitor General *June* 10, 1497
(See *Dublin City Election*)

Ellenborough, Earl of
Government of India Act Amendment, Report, 689, 694

Ellice, Mr. E., *St. Andrews, &c.*
British Columbia, Motion for Papers, 1120
Game Laws (Scotland), Nomination of Committee, Motion for Adjournment, 634
Irish Church, Comm. *cl.* 39, 285

Elliot, Mr. G., *Durham, N.*
Coal Fields, Motion for an Address, 1914

Elphinstone, Sir J. D. H., *Portsmouth*
Abyssinian War, Motion for a Committee, 1437, 1439
Election Commissions, 750
Game Laws (Scotland), Nomination of Committee, Amendt. 628, 1783
Irish Church, Comm. *cl.* 39, 274, 279, 346; *cl.* 59, 405
Scotland—Income Tax, 389

Endowed Hospitals, &c. (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Bruce, Mr. Adam*)
c. Committee*; Report *May* 6 [Bill 110]
Committee* (*on re-comm.*); Report *May* 13 [Bill 124]

Endowed Schools and Hospitals (*Scotland*)
Address for a Royal Commission "to inquire into the nature and amount of all Endowments in Scotland, the funds of which are devoted to the maintenance or education of young persons; also to inquire into the administration and management of any Hospitals or Schools supported by such Endowments, and into the system and course of study respectively pursued therein, and to report whether any and what changes in the administration and use of such Endowments are expedient, by which their usefulness and efficiency may be increased" (*Sir Edward Colebrooke*) *June* 8, 1439; after short debate, Debate adjourned

Endowed Schools (*re-committed*) **Bill**
(*Mr. W. E. Forster, Mr. Secretary Bruce*)
c. Report* *May* 11 [Bill 115]
Report of Select Comm. [*P. P.* 256] *June* 8
Committee; Report *June* 14, 1744 [Bill 163]

Endowed Schools (No. 2) (*re-committed*) **Bill**
c. Committee*; Report *June* 9 [Bill 154]

Enfield, Viscount, *Middlesex*
Metropolis—Finsbury Park, 741

Erskine, Vice Admiral J. E., *Stirlingshire*
Ways and Means—Customs and Excise Duties, Res. 2, 806

Esmonde, Sir J., *Waterford Co.*
Irish Church, Comm. *cl.* 32, 36
O'Sullivan's Disability, Leave, 240
Witnesses (House of Commons) Motion for a Committee, 625

Evidence Amendment Bill—*Formerly* **Law of Evidence Bill**
(*Mr. Denman, Mr. Locke King, Mr. Locke*)
c. Committee*; Report *May* 10 [Bill 25]
Considered* *May* 27
Read 3° * *May* 28
l. Read 1ª* (*The Lord Penzance*) *June* 1 (No. 110)

Ewing, Mr. H. E. Crum- *Paisley*
Bankruptcy, Comm. *cl.* 46, 1408
Post Office—Landing Mails at a Western Port, 927

Exchequer Bonds (£2,300,000) Bill
(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Ayrton*)
c. Ordered; read 1° * *June* 8 [Bill 152]
Read 2° * *June* 10
Committee*; Report *June* 11
Read 3° * *June* 14
l. Read 1ª * (*The Marquess of Lansdowne*) *June* 15

Exchequer, Chancellor of the, *see* Chancellor of the Exchequer

Exeter, Port of
Question, Sir Stafford Northcote; Answer, Mr. Shaw-Lefevre *June* 14, 1741

Eykyn, Mr. R., *Windsor*
Marriage with a Deceased Wife's Sister, Comm. 1450

Fawcett, Mr. H., *Brighton*
Civil Offices (Pensions), Comm. Amendt. 858, 864; *cl.* 1, Motion for reporting Progress, 868; *cl.* 4, 874; *cl.* 6, 876; *cl.* 7, 877, 1097
Endowed Schools, Comm. *cl.* A. 12, 1761
Irish Church, Comm. *cl.* 32, 23, 24; Amendt. 37, 42, 48; *cl.* 39, 338; *cl.* 59, Amendt. 407, 410

Feversham, Earl of
Ireland—Irish Policy of the Government, 387

Fielden, Mr. J., *Yorkshire, W.R., E. Div.*
Endowed Schools, Comm. *cl.* 29, 1775
Irish Church, Comm. *cl.* 39, 121
Pauperism and Vagrancy, Motion for a Committee, 533

Fines and Fees Collection Bill
(*Mr. Hunt, Mr. Sclater-Booth, Mr. Staveley Hill*)
c. Ordered; read 1°* *June* 10 [Bill 159]

FLOYER, Mr. J., *Dorsetshire*
Pauperism and Vagrancy, Motion for a Committee, 496

FORDE, Colonel W. B., *Downshire*
Ireland—Cork, Meeting in, 573

FORESTER, Right Hon. Major General, *Wenlock*
Army—Household Cavalry, 572

FORSTER, Right Hon. W. E. (Vice President of the Committee of Council on Education), *Bradford*
Contagious Diseases (Animals), 1498
Endowed Schools, Comm. *cl.* 9, 1744, 1746, 1748; *cl.* 10, 1748, 1750, 1751; *cl.* A. 12, 1760; *cl.* 13, 1765; *cl.* 15, 1766, 1768; *cl.* 19, 1768, 1769, 1770, 1771; *cl.* 29, 1772, 1774, 1776, 1777; *cl.* 31, 1778, 1779; *cl.* 35, 1779; *cl.* 36, 1780; *cl.* 38, 1780; *cl.* 41, 1781, 1782
Metropolitan Cattle Market, 15
Permissive Prohibitory Liquor, 2R. 656, 670
South Kensington Museum, 1636

FORTESCUE, Right Hon. Chichester S. (Chief Secretary for Ireland), *Louth Co.*
Ireland—Questions, &c.
 Ballyheigue, Affray at, 1207
 Cork, Meeting in, 574
 Derry, Proclamation of, 104, 263
 Fercal, Union of, 1206
 Londonderry, Riots in, 20, 102, 104, 390, 749
 Protection of Life, 470
 Rates on Disturbed Districts, 21
 Tipperary, Extra Police in, 744
 Tralee Gaol, 1630
Ireland—O'Sullivan, Mr., Case of, Motion for a Committee, 1165, 1166
Irish Church, Comm. *cl.* 36, 72; *cl.* 37, 74; *cl.* 39, 129, 295; *cl.* 59, 403, 410, 413, 419; Consid. 769
O'Sullivan's Disability, Leave, 213
Sale of Liquors on Sunday (Ireland), Comm. 1455
Sea Fisheries (Ireland), 2R. 1487

FOWLER, Mr. R. N., *Penryn, &c.*
British Columbia, Motion for Papers, 1100
Marriage with a Deceased Wife's Sister, Comm. Motion for Adjournment, 1450
Post Office—Landing Mails at a Western Port, 924

FOWLER, Mr. W., *Cambridge Bo.*
Bankruptcy, Comm. *cl.* 46, 1411; *cl.* 126, 1903
Customs and Inland Revenue, Comm. 831
Real Property, Res. 586, 602

France
Claims of British Subjects under Convention of Paris, 1815, *and Treaties of* 1814 *and* 1815, Motion for Papers (*Mr. H. B. Sheridan*) *June* 8, 1445; after short debate, A. 80, N. 109; M. 29

FRENCH, Right Hon. Colonel F., *Roscommon Co.*
Barking Creek, River Thames at, 1402
Irish Church, Comm. *cl.* 32, 53; *cl.* 33, 54
O'Sullivan's Disability, Leave, 235
Parliament—Whitsuntide Holidays, 21
Sea Fisheries (Ireland), 24, 1489
Statute Law, Revision of the, Res. 1253

GALWAY, Viscount, *Retford* (*East*)
Parliament—Dublin City Writ, 1792
Taxes on Servants, 1097, 1098
Ways and Means—Customs and Excise Duties, Res. 2, 799, 800

Game Laws (*Scotland*)
c. Moved, "That the Select Committee do consist of Eighteen Members" (*Mr. Loch*) *May* 11, 628
Amendt. to leave out from "That" and add "the Order for the appointment of the said Select Committee be discharged" (*Sir James Elphinstone*); Question proposed, "That the words, &c."
After short debate, Moved, "That the Debate be now adjourned" (*Mr. Ellice*); after further short debate, Debate adjourned
Adjourned Debate resumed *June* 14, 1783; after short debate, Order discharged

GARLIES, Lord, *Wigtonshire*
Army—Branding Deserters, 573
 Volunteers, Ammunition for the, 1591

GILPIN, Colonel R. T., *Bedfordshire*
Army of Reserve, Res. 1533

GILPIN, Mr. C., *Northampton*
Bankruptcy, Comm. *cl.* 46, 1410
Endowed Schools, Comm. *cl.* 19, 1771
Irish Church, Comm. *cl.* 39, 123
Salisbury Magistrates, 1620

GLADSTONE, Right Hon. W. E. (First Lord of the Treasury), *Greenwich*
British Columbia, Motion for Papers, 1124
Civil Offices (Pensions), Comm. 863, 864; *cl.* 1, 869, 870; *cl.* 2, 871; *cl.* 3, 872; *cl.* 4, 873, 874, 875; *cl.* 5, 876; *cl.* 6, *ib.*; *cl.* 7, 877, 1097
Clergy, The, and Parliament, 746
Customs and Inland Revenue, 2R. 585
Endowed Schools, Comm. *cl.* 9, 1747
Ireland—Lavelle *v.* Proudfoot, Case of, 885
 Maynooth, Professors of, 748
 Prelates of the Irish Church, 261
Irish Church, Comm. *cl.* 32, 24, 33, 41; Amendt. 43, 46, 47, 52; *cl.* 33, 64; *cl.* 36, Amendt. 66, 67, 68; *cl.* 37, 73, 75; *cl.* 39, 110, 120; Amendt. 132, 133, 136, 137, 139, 146, 147, 148, 268, 269, 270, 281; Amendt. 301, 319, 337, 346; *cl.* 49, Amendt. 349; *cl.* 58, 350; Amendt. 391; *cl.* 59, 398, 407, 409, 410, 417, 419, 420; *cl.* 61, 421; *cl.* 62, 421; *cl.* 3, 421, 423; *add. cl.* 423, 425, 426; Consid. *add. cl.* 751, 757, 760, 765, 767, 769, 773, 774; Amendt. 778, 779, 780; 3R. 1060
Light Dues, Res. 184
Mail Contracts, Res. 1156, 1157, 1160

[*cont.*

Gladstone, Right Hon. W. E.—*cont.*
  Metropolitan Poor Act (1867) Amendment, 2R. 963
  Municipal Corporations (Metropolis), 2R. 1959
  Navy—Admiralty Clerks, Res. 1628
  O'Sullivan's Disability, 185, 186; Leave, 212, 219; 2R. Amendt. 577, 581, 584
  Parliament—Dublin City Writ, 1792, 1793
    Whitsuntide Holidays, 21, 104, 585, 809
  Representation of the People Act Amendment, 2R. 1334
  Statute Law, Revision of the, Res. 1249
  Witnesses (House of Commons), Motion for a Committee, 625

Goldney, Mr. G., *Chippenham*
  Courts of Justice (New Site), Leave, 560
  Endowed Schools, Comm. *cl.* 9, 1747; *cl.* 19, Amendt. 1768, 1769; *cl.* 29, 1772; *cl.* 36, Amendt. 1780
  Irish Church, Comm. *cl.* 32, 40, 53

Goldsmid, Sir F. H., *Reading*
  Bankruptcy, Comm. *cl.* 59, 1600
  County Courts, 2R. 684

Gore, Mr. W. R. Ormsby- *Leitrim Co.*
  Ireland—Shannon Salmon Fisheries, 743

Goschen, Right Hon. G. J. (Chief Commissioner of the Poor Law Board), *London*
  Assessed Rates, 2R. 1299
  Bankruptcy, Comm. *cl.* 46, 1407
  Metropolitan Poor Act (1867) Amendment, 2R. 946, 963, 1364, 1368
  Pauperism and Vagrancy, Motion for a Committee, 521
  Sunday and Ragged Schools, 2R. 1969

Gourley, Mr. E. T., *Sunderland*
  Assessed Rates, 2R. 1333
  Cuba—Seizure of the "Mary Lowell" in British Waters, 264
  Customs and Inland Revenue, Comm. *cl.* 26, 854
  Navy—Reserve Channel Squadron, 1236

Government Annuities, &c. Bill
(*The Marquess of Hartington, Mr. Chancellor of the Exchequer, Mr. Stansfeld*)
c. Read 2° * *June* 7 [Bill 70]

Government of India Act Amendment Bill
(*The Duke of Argyll*)
l. Committee * *May* 7 (No. 94)
  Report *May* 13, 689
  Amendt. moved to omit "elected or" (*The Marquess of Salisbury*); after short debate, Cont. 89, Not-Cont. 53; M. 36; resolved in the affirmative; Division List, Cont. and Not-Cont. 697
  Moved, to insert a new clause (*The Marquess of Salisbury*); after short debate, Amendt. withdrawn
  Moved, "That the Bill be now read 3ª" *June* 4, 1236; after short debate, Bill read 3ª; (No. 104)
c. Read 1° * *June* 8 [Bill 150]

Graham, Mr. W., *Glasgow*
  Hypothec Abolition (Scotland), 2R. 259

Granville, Earl (Secretary of State for the Colonies)
  Bishops of Protestant Churches, 1281
  Bishops of the South Western District, 10
  Civil Service Pensions, Comm. 85
  Ireland—Cork, Mayor of, 77
    Irish Policy of the Government, 362, 373
    State of, 715, 720
    Under Secretary to the Lord Lieutenant, 1089
  Irish Church, 1580; 2R. 1637, 1666
  Life Peerages, Comm. 1192; *cl.* 1, 1202; Report, 1388
  Parochial Schools (Scotland), Report, 1285

Graves, Mr. S. R., *Liverpool*
  Light Dues, Res. 175
  Mail Contracts, Res. 1139
  Permissive Prohibitory Liquor, 2R. 677
  Sunday and Ragged Schools, 2R. 1967

Gray, Sir J., *Kilkenny Bo.*
  Ireland—O'Donovan Rossa, Case of, 1238, 1243
  Ireland—O'Sullivan, Mr., Case of, Motion for a Committee, 1170
  O'Sullivan's Disability, Leave, 199

Greaves, Mr. E., *Warwick*
  Endowed Schools, Comm. *cl.* 29, 1778

Greene, Mr. E., *Bury St. Edmunds*
  Irish Church, Comm. *cl.* 39, 275, 277
  Parliament—Dublin City Writ, Motion for Adjournment, 1793
  Ways and Means—Customs and Excise Duties, Res. 2, 791

Greenwich Hospital Bill
(*Mr. Trevelyan, Mr. Childers, Mr. Adam*)
c. Read 1° * *May* 4 [Bill 105]
  Read 2° * *June* 11

Gregory, Mr. G. B., *Sussex, E.*
  Bankruptcy, Comm. *cl.* 6, Amendt. 1214, 1215; *cl.* 7, 1217; *cl.* 43, Amendt. 1403; *cl.* 54, 1595; *cl.* 59, 1601; *cl.* 126, 1901
  County Courts, 2R. 685
  Endowed Schools, Comm. *cl.* A. 12, 1761; *cl.* 38, Amendt. 1780
  India—Bank of Bengal, 1237
  Irish Church, Consid. 769
  Real Property, Res. 596

Gregory, Mr. W. H., *Galway Co.*
  Irish Church, Comm. *cl.* 59, 399; Amendt. 419
  Museums, &c., Opening of, on Sundays, 1254, 1278, 1493
  Parliament—Dublin City Writ, 1791

Greville-Nugent, Colonel F. S., *Longford Co.*
  Irish Church, Comm. *cl.* 59, 410

Grey, Earl
Government of India Act Amendment, Report, 696
Ireland—Irish Policy of the Government, 381
Irish Church, 2R. 1794
Life Peerages, Comm. Preamble, 1192; *cl.* 1, 1203, 1204; Report, *add. cl.* 1389
Militia, 3R. 86
Municipal Magistrates, Removal of, 1092

Grey, Right Hon. Sir G., *Morpeth*
Parliament—Dublin City Writ, Amendt. 1784, 1792
Permissive Prohibitory Liquor, 2R. 681

Grosvenor, Hon. Captain R. W., *Westminster*
Metropolitan Street Tramways, Consid. *add. cl.* 737
Navy—Admiralty Clerks, Res. 1621

Gurney, Right Hon. Russell, *Southampton*
Bankruptcy, Comm. *cl.* 59, 1600; *cl.* 127, 1906
Civil Offices (Pensions), Comm. *cl.* 1, 869, 870; *cl.* 4, Amendt. 873
Clerks to Magistrates, 1238
Post Office—Landing Mails at a Western Port, 930

Hadfield, Mr. G., *Sheffield*
British Columbia, Motion for Papers, 1128
Irish Church, Comm. *cl.* 39, 116
Museums, &c., Opening of, on Sundays, 1493
O'Sullivan's Disability, 2R. 584
Statute Law, Revision of the, Res. 1244

Halifax, Viscount
Government of India Act Amendment, Report, 693
Ireland—Under Secretary to the Lord Lieutenant, 1091
Life Peerages, Comm. *cl.* 1, 1197
Parochial Schools (Scotland), Report, 1286

Hambro, Mr. C. J. T., *Weymouth, &c.*
Customs and Inland Revenue, Comm. *cl.* 18, 847
Velocipedes and Post Office Service, 745

Hamilton, Marquess of, *Donegal Co.*
Irish Church, Comm. *cl.* 44, Amendt. 349

Hamilton, Right Hon. Lord C., *Tyrone Co.*
Irish Church, Comm. *cl.* 30, 22; *cl.* 39, 318, 347; *cl.* 59, 416, 417; *add. cl.* 423
Permissive Prohibitory Liquor, 2R. 671

Hamilton, Lord G. F., *Middlesex*
Ireland—Londonderry, Riots in, 390
Irish Church, Comm. *cl.* 36, 70

Hamilton, Mr. E. W. T., *Salisbury*
British Columbia, Motion for Papers, 1124
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Harcourt, Mr. W. Vernon, *Oxford City*
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Hardy, Right Hon. Gathorne, *Oxford University*
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Hardy, Mr. J., *Warwickshire, S.*
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Hardy, Mr. J. Stewart, *Rye*
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  Money Orders, 14
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Hatherley, Lord (see Chancellor, The Lord)

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Headlam, Right Hon. T. E., *Newcastle-upon-Tyne*
Assessed Rates, 2R. 1312
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Henley, Lord, *Northampton Bo.*
Assessed Rates, 2R. 1326

Henley, Right Hon. J. W., *Oxfordshire*
Bankruptcy, Comm. *cl.* 46, 1413
Customs and Inland Revenue, Comm. 830; *cl.* 5, 844; *cl.* 8, 845; *cl.* 18, 846, 848; *cl.* 19, 852; *cl.* 24, 853; *cl.* 26, 854; *cl.* 36, 855
Endowed Schools, Comm. *cl.* 9, 1745, 1748; *cl.* A. 12, 1762; *cl.* 15, 1767; Amendt. 1768; *cl.* 19, 1770, 1771; *cl.* 29, 1773, 1777; *cl.* 38, 1780; *cl.* 41, 1780, 1782
Ireland—O'Sullivan, Mr., Case of, Motion for a Committee, 1168

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Henley, Right Hon. J. W.—*cont.*
- Irish Church, Comm. *cl.* 39, 133, 134, 136, 139, 288; Consid. 765
- Light Dues, Res. 182
- O'Sullivan's Disability, Leave, 228
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- Ways and Means—Customs and Excise Duties, Res. 2, 791, 798, 799
- Witnesses (House of Commons) Motion for a Committee, 627

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- County Financial Boards, Leave, 619

Herbert, Right Hon. Major-General Percy E., *Shropshire, S.*
- Ways and Means—Customs and Excise Duties, Res. 2, 797; Amendt. 799

Herbert, Mr. H. A., *Kerry Co.*
- Ireland—Ballyheigue, Affray at, 1207
  - Tralee Gaol, 1630
- Irish Church, Comm. *cl.* 32, Amendt. 23; *cl.* 39, 279

Hermon, Mr. E., *Preston*
- Bankruptcy, Comm. *cl.* 46, 1415; *cl.* 91, Amendt. 1898; *cl.* 126, 1901
- Preston Railway Station, 1494

Heygate, Sir F. W., *Londonderry Co.*
- Ireland—Londonderry, Riots in, 749
- Irish Church, Comm. *cl.* 32, 33; *cl.* 36, 69; *cl.* 39, 286; *cl.* 59, Amendt. 410, 412, 419; *add. cl.* 425; Consid. 769, 770; 3R. 971, 1002
- O'Sullivan's Disability, Leave, 195
- Seeds Adulteration, 2R. 1928

Hibbert, Mr. J. T., *Oldham*
- Assessed Rates, 2R. 1310, 1321
- Bankruptcy, Comm. *cl.* 54, 1596; *cl.* 59, 1599
- County Financial Boards, Leave, 616
- Endowed Schools, Comm. *cl.* 29, 1774
- Irish Church, Comm. *cl.* 32, 53; *cl.* 59, 420
- Ways and Means—Customs and Excise Duties, Res. 2, 795; Amendt. 800

High Constables' Office Abolition, &c. Bill
(*Mr. Hunt, Mr. Sclater-Booth, Mr. Staveley Hill*)
c. Ordered; read 1° * *June* 10 [Bill 160]

Hill, Mr. A. Staveley, *Coventry*
- Bankruptcy, Comm. *cl.* 7, 1218; *cl.* 46, 1411; *cl.* 47, 1416
- County Courts, 2R. 687
- Diplomatic Pensions, 1589

Hoare, Sir H. A., *Chelsea*
- Army Estimates—Yeomanry, Amendt. 1575
- Irish Church, Comm. *cl.* 39, 348
- Municipal Corporations (Metropolis), 2R. 1953
- Ways and Means—Customs and Excise Duties, Res. 2, 797

Holms, Mr. J., *Hackney*
- Assessed Rates, 2R. 1313

Holt, Mr. J. M., *Lancashire, N.E.*
- Irish Church, 3R. Amendt. 971

Hope, Mr. A. J. Beresford, *Cambridge University*
- Endowed Schools, Comm. *cl.* 9, 1744, 1747; *cl.* A. 12, 1761; *cl.* 15, 1765, 1768; *cl.* 29, 1776; *cl.* 35, 1779; *cl.* 41, 1781
- Irish Church, Consid. 777
- O'Sullivan's Disability, Leave, 236

Houghton, Lord
- Government of India Act Amendment, 3R. 1236
- Life Peerages, Report, 1379
- Sea Birds Preservation, Comm. *cl.* 4, 79
- Wiltes Peerage, Report, 428

Howard, Mr. J., *Bedford*
- Endowed Schools, Comm. *cl.* 11, 1751; *cl.* A. 12, 1762; *cl.* 19, 1770
- Patents for Inventions, 909

Howes, Mr. E., *Norfolk, S.E.*
- Ways and Means—Customs and Excise Duties, Res. 2, Amendt. 803, 804

Hughes, Mr. T., *Frome*
- Army of Reserve, Res. 1556
- Bankruptcy, Comm. *cl.* 46, 1416
- Natal—Green, Rev. Mr., Case of, 467
- Sunday Trading, Comm. *cl.* 1, 1490

Hunt, Right Hon. G. W., *Northamptonshire, N.*
- Civil Service Pensions, Comm. *cl.* 4, 873, 874; Amendt. 875; *cl.* 5, Amendt. 876
- Clerks of Local Commissioners of Taxes, 1207
- County Financial Boards, Leave, 614
- Customs and Inland Revenue, 2R. 585; Comm. 812, 818; *cl.* 18, 849, 850
- Endowed Schools, Comm. *cl.* 41, 1782
- Irish Church, Comm. *cl.* 32, 28; *cl.* 39, 282
- Mail Contracts, Res. 1155
- Parliament—Dublin City Writ, 1786
- Prosecutions, Cost of, 811
- Seeds Adulteration, 2R. 1935
- Supply—New Law Courts, 1577
- Telegraph and Railway Companies, 1299
- Ways and Means—Customs and Excise Duties, Comm. Res. 2, Amendt. 782, 794, 795, 797, 799; Amendt. 803, 805, 806, 807

Hypothec Abolition (Scotland) Bill
(*Mr. Carnegie, Mr. Fordyce, Mr. Craufurd*)
c. Moved, "That the Bill be now read 2°" *May* 5, 244 [Bill 4]
Amendt. to leave out from "That" and add "pending the consideration (by a Committee of the House of Lords) of the whole question of the Law of Hypothec as existing both in Scotland and other countries, it is expedient to delay the further consideration of this Bill" (*Lord Elcho*); Question proposed, "That the words, &c.;" after short debate, Debate adjourned

Inclosure of Lands (No. 2) Bill
(*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*)
c. Ordered; read 1° * *June* 3 [Bill 148]

INDIA
- *Bank of Bengal,* Question, Mr. G. Gregory; Answer, Mr. Grant Duff *June* 4, 1237
- *Civil Service,* Question, Mr. Eastwick; Answer, Mr. Grant Duff *June* 3, 1208
- *Maharajah of Mysore—Guardianship of,* Question, Sir Stafford Northcote; Answer, Mr. Grant Duff *June* 10, 1495
- *Punjaub Tenancy Act,* Question, Sir Charles Wingfield; Answer, Mr. Grant Duff *May* 13, 748; Question, Mr. C. Denison; Answer, Mr. Grant Duff *June* 11, 1591
- *Railways,* Question, Mr. Kinnaird; Answer, Mr. Grant Duff *May* 13, 744
- *Revenues of India—Authority of the Secretary of State,* Question, Sir Stafford Northcote; Answer, Mr. Grant Duff *May* 3, 16

Industrial Schools (Great Britain) Bill [H.L.] (*The Marquess Townshend*)
l. Moved, "That the Bill be now read 2ª" *May* 7, 357; after short debate, Bill withdrawn (No. 64)

Insolvent Debtors' Court, &c. Bill
(*Mr. Attorney General, Mr. Solicitor General*)
c. Bill ordered * *May* 11
Read 1° * *May* 28 [Bill 134]

IRELAND
- *Ballyheigue—Affray at,* Question, Mr. Herbert; Answer, Mr. Chichester Fortescue *June* 3, 1207
- *Church in Ireland—Union of Fercal,* Question, Mr. Gathorne Hardy; Answer, Mr. Chichester Fortescue *June* 3, 1205
- *Dublin—Lord Mayor of,* Question, Mr. Wingfield Verner; Answer, The Attorney General for Ireland *May* 13, 746
- *Fenian Convict O'Donovan Rossa,* Question, Sir John Gray; Answer, Mr. Bruce *June* 4, 1238
- *Londonderry, Riots at—Proclamation of the City,* Question, Mr. Serjeant Dowse; Answer, Mr. Chichester Fortescue *May* 3, 20; Question, Mr. W. Johnston; Answer, Mr. Chichester Fortescue *May* 4, 102; Question, Sir Hervey Bruce; Answer, Mr. Chichester Fortescue *May* 4, 104; *May* 6, 263; Question, Lord George Hamilton; Answer, Mr. Chichester Fortescue *May* 7, 390; Question, Sir Frederick W. Heygate; Answer, Mr. Chichester Fortescue *May* 13, 749
- *Press Prosecutions—Case of Mr. O'Sullivan,* Moved, That a Select Committee be appointed "to inquire into the treatment of political prisoners, particularly of those who may be untried; and of those who, under exceptional circumstances, may be detained in custody, without any special charge having been preferred against them" (*Mr. George Moore*) *June* 1, 1160; after short debate, Question put, A. 20, N. 84; M. 64
- *Protection of Life,* Question, Lord John Manners; Answer, Mr. Chichester Fortescue *May* 10, 470

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IRELAND—cont.
- *Shannon Salmon Fisheries,* Question, Mr. W. Ormsby Gore; Answer, Mr. Ayrton *May* 13, 743
- *State of Ireland*
  - *Extra Police in Tipperary,* Question, Mr. Bagwell; Answer, Mr. Chichester Fortescue May 13, 744
  - *Policy of the Government,* Observations, Question, The Marquess of Salisbury; Reply, Earl Granville; debate thereon *May* 7, 357; Question, Observations, Earl Russell; Reply, Earl Granville; long debate thereon *May* 13, 707
  - *Rates on Disturbed Districts,* Question, Colonel Wilson-Patten; Answer, Mr. Chichester Fortescue *May* 3, 20
- *Stationery Office,* Question, Mr. Bagwell; Answer, Mr. Ayrton *May* 11, 573
- *Tralee Gaol,* Question, Mr. O'Reilly; Answers, Mr. H. A. Herbert, Mr. Chichester Fortescue *June* 11, 1629
- *Under Secretary to the Lord Lieutenant—Office of,* Question, Observations, The Earl of Longford; Reply, Earl Granville; short debate thereon *June* 1, 1085

IRISH CHURCH BILL
- Question, Observations, Lord Bateman; Reply, Earl Granville; short debate thereon *June* 11, 1578
- *Bishops of Protestant Churches—Ecclesiastical Titles Act,* Question, Lord Colchester; Answer, Earl Granville *June* 7, 1280
- *Church of England—Prelates of the Irish Church—Ecclesiastical Titles Act,* Question, Mr. MacEvoy; Answer, Mr. Gladstone *May* 6, 261
- *Mr. Bright's Letter,* Notice, Lord Cairns *June* 15, 1794
- *Parliament—Disability of the Roman Catholic Clergy,* Question, Mr. Dixon; Answer, Mr. Gladstone *May* 13, 746
- *Petitions,* Observations, The Earl of Devon *June* 7, 1279; Observations, The Duke of Abercorn; Petition ordered to lie on the Table *June* 11, 1581
- *Professors of Maynooth,* Question, Mr. Stapleton; Answer, Mr. Gladstone *May* 13, 748

Irish Church Bill.
(*Mr. Dodson, Mr. Gladstone, Mr. John Bright, Mr. Chichester Fortescue, Mr. Attorney General for Ireland*)
c. Committee, *May* 3, 22 [Bill 27]
- Clause 30 (Enactments with respect to mixed endowments), 22
- Clause 31 (Limitations of right to purchase fee simple in consideration of perpetual rent), 23
- Clause 32 (Sale of tithe rent-charge to owners of land), 23
- Clause 33 (Power of Commissioners to sell their property), 53
- Clause 36 (Compensation to nonconforming ministers), 66
- Clause 37 (Compensation in respect of salaries of professors and college buildings at Belfast), 73
- Clause 38 agreed to, 76; Committee—R.P.

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Irish Church Bill—cont.
Committee *May* 4, 107
Clause 39 (Repeal of Maynooth Acts. Compensation on the cessation of certain annual sums), 107 ; Committee—R.P.

Committee *May* 6, 265
Clause 39 (Repeal of Maynooth Acts. Compensation on the cessation of certain annual sums), 265 ; A. 318, N. 192 ; M. 126
Division List, Ayes and Noes, 298
Clauses 40 to 42 agreed to, 349
Clause 43 (Compensation to Ecclesiastical Commissioners and their officers), 349
Clause 44 (Compensation to vicars general and other officers by annuities equal to their average income for the three years ending 1st January, 1870), 349
Clauses 45 to 48 agreed to
Clause 49 (Regulations as to payment of annuity), 349
Clauses 50 and 51 agreed to, 350
Clause 52 (Sales of lands, &c., may be made in Landed Estates Court), 350
Clauses 53 to 57 agreed to, 350
Clause 58 (Regulation as to vacancies), 350 ; Committee—R.P

Committee *May* 7, 390
Clause 58 (Regulation as to vacancies), 390
Clause 59 (Ultimate trust of surplus), 395
Clause 60 agreed to, 420
Clause 61 (Saving rights as to proprietary chapels and chapels of ease), 420
Clause 62 (Saving of Act of 39 & 40 *Geo.* III. c. 67), 421
Clause 63 (Interpretation) amended, and agreed to, 421
Clause 3 (Appointment of Commissioners), 421
Clauses 4 to 9 agreed to, 423
New Clause (Accounts of capital and revenues), 423 ; Bill reported [Bill 112]

Considered as amended *May* 13, 751
New Clause (Moveable chattels belonging to see or Church), 751
New Clause (Provision for the officers of Cathedral Churches in Ireland), 751
New Clause (Compensation to ecclesiastical persons not otherwise provided for), 757
New Clause (Annuities not to be forfeited because annuitants do not consent to alteration in articles of Church), 758
New Clause (Benefices of Saint Mary, Saint Thomas, and Saint George, Dublin), 766
New Clause (Commissioners may purchase surrender or assignment of lease), 767
New Clause (Compensation to trustees of Armagh Observatory), 767

Re-comm. * ; Report *May* 28 [Bill 123]

Considered * *May* 28

Moved, "That the Bill be now read 3°" *May* 31, 971
Amendt. to leave out "now," and add "upon this day three months" (*Mr. Holt*) ; Question proposed, "That 'now,' &c. ;" after long debate, Question put, A. 361, N. 247 ; M. 114
Division List, Ayes and Noes, 1078
Main Question put, and agreed to ; Bill read 3°

Irish Church Bill—cont.
l. Read 1ª * (*The Earl Granville*) *June* 1 (No. 109)
Moved, That the last three paragraphs of Her Majesty's most gracious Speech be read (*Earl Granville*)—agreed to ; and the said paragraphs accordingly read by the clerk *June* 14, 1637
Moved, "That the Bill be now read 2ª"
Amendt. to leave out ("now") and insert ("this day three months") (*The Earl of Harrowby*); after long debate, Debate adjourned
Adjourned Debate *June* 15, 1794 ; after long debate, further Debate adjourned

JAMES, Mr. H., *Taunton*
Parliament—Dublin City Writ, 1789

JENKINSON, Sir G. S., *Wiltshire, N.*
County Courts, 2R. 688
Courts of Justice (New Site), Leave, 560
Irish Church, Comm. *cl.* 39, Amendt. 139, 148, 296, 348

JERVIS, Colonel H. J. W., *Harwich*
Permissive Prohibitory Liquor, 2R. Amendt. 648

JESSEL, Mr. G., *Dover*
Bankruptcy, Comm. *cl.* 4, 1212 ; *cl.* 6, 1215 ; *cl.* 7, 1217, 1218 ; *cl.* 8, 1219 ; *cl.* 14, 1221, 1223, 1224 ; *cl.* 43, 1403; *cl.* 46, 1408, 1416 ; *cl.* 59, 1602 ; *cl.* 91, 1607, 1898 ; *cl.* 126, 1905

JOHNSTON, Mr. A., *Essex, S.*
Real Property, Res. 600

JOHNSTON, Mr. W., *Belfast*
Ireland—Londonderry, Riots in, 102
Irish Church, Comm. *cl.* 36, 69 ; *cl.* 59, 402 ; 3R. 1039
O'Sullivan's Disability, Leave, 240
Seeds Adulteration, 2R. 1929

JOHNSTONE, Sir H., *Scarborough*
Spain—Imprisonment of a British Subject at Barcelona, 1741

Joint Stock Companies Arrangement Bill (*Mr. Henry B. Sheridan, Mr. Serjeant Simon*)
c. Ordered ; read 1° * *May* 31 [Bill 140]

Judicature Commission
Question, Mr. Norwood ; Answer, Mr. Bruce *June* 11, 1633

Judicial Statistics (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Bruce, Mr. Solicitor General for Scotland*)
c. Ordered ; read 1° * *June* 3 [Bill 142]

Justices, &c., Clerks to—Fees and Salaries
Question, Mr. Russell Gurney ; Answer, Mr. Bruce *June* 4, 1238 ; Explanation, Mr. Bruce *June* 7, 1299

Justices of the Peace Qualification Bill [H.L.] (*The Earl of Albemarle*)
l. Presented; read 1ª* *May* 4 (No. 93)

Kimberley, Earl of (Lord Privy Seal)
Election Commissioners (Expenses), 2R. 1588
Ireland—Irish Policy of the Government, 378
State of, 724, 726
Irish Church, 2R. 1666

King, Hon. P. J. Locke, *Surrey, E.*
Army—Patriotic Fund Commission, 469
Crypt of St. Stephen's, 744
Statutes, Revision of the, Res. 1247

Kinnaird, Lord
North British Railway—Accidental Deaths, Motion for a Paper, 566, 571
Parochial Schools (Scotland), Comm. *cl.* 1, 446; *cl.* 20, 456; *cl.* 68, 464

Kinnaird, Hon. A. F., *Perth*
British Columbia, Motion for Papers, 1104
Endowed Schools, Comm. *cl.* 19, 1769
India—Railways, 744
Seeds Adulteration, 2R. 1938

Kirk, Mr. W., *Newry*
Irish Church, Comm. *cl.* 36, Amendt. 66, 67, 72; *add. cl.* 423

Knatchbull-Hugessen, Mr. E. H. (Under Secretary of State for the Home Department), *Sandwich*
County Financial Boards, Leave, 602, 619, 880
Marriage with a Deceased Wife's Sister, Comm. 1450
Sheriff's (York County), 1208

Knightley, Sir R., *Northamptonshire, S.*
Irish Church, Comm. *cl.* 39, 147

Knox, Hon. Colonel W. Stuart, *Dungannon*
Irish Church, Comm. *cl.* 36, 71; *add. cl.* 425
O'Sullivan's Disability, Leave, 231
Parliament—Dublin City Writ, Motion for Adjournment, 1792

Lands Clauses Consolidation Act Amendment Bill (*Viscount Halifax*)
l. Report* *May* 3 (No. 90)
Read 3ª* *May* 4
Royal Assent *June* 24 [32 & 33 *Vict.* c. 18]

Lansdowne, Marquess of (Lord of the Treasury)
Customs and Inland Revenue, 2R. 1585
Newspapers, &c. 2R. 946, 969

" *Lavelle v. Proudfoot*"—*Case of*
Question, Observations, Mr. Charley, Mr. G. H. Moore; Reply, Mr. Gladstone *May* 28, 881

Lawrence, Lord
Government of India Act Amendment, Report, 694

Lawrence, Mr. Alderman W., *London*
Bankruptcy, Comm. *cl.* 14, 1222; *cl.* 46, 1414; *cl.* 91, 1899
Customs and Inland Revenue, Comm. *cl.* 18, Amendt. 849, 850
Endowed Schools, Comm. *cl.* 29, 1773
Ways and Means—Customs and Excise Duties, Res. 2, Amendt. 801, 803, 807

Lawson, Sir W., *Carlisle*
Permissive Prohibitory Liquor, 2R. 637, 682, 683

Layard, Right Hon. A. H. (Chief Commissioner of Works), *Southwark*
Courts of Justice (New Site), Leave, 538, 553, 560
Metropolis—Questions, &c.
Courts of Justice, New, 14, 1210
Crypt of St. Stephen's, 744
Finsbury Park, 740
St. James's Park, 13
Statues in Palace Yard, 1742
Victoria Park, 750

Leatham, Mr. E. A., *Huddersfield*
Permissive Prohibitory Liquor, 2R. 661

Lefevre, Mr. J. G. Shaw (Secretary to the Board of Trade), *Reading*
Exeter, Trade of, 1741
Light Dues, Res. 162
" Marquess of Abercorn," Loss of the, 1897
Seeds Adulteration, 2R. 1924

Lennox, Lord H. G. C. G., *Chichester*
Metropolis—Courts of Justice, New, 14
Navy—Admiralty Clerks, Res. 1622, 1626

Lewis, Mr. J. D., *Devonport*
Post Office—Landing Mails at a Western Port, 936

Libel Bill
(*Mr. Baines, Mr. Candlish, Mr. Morley*)
c. Committee*; Report *May* 4 [Bills 17-106]

Liddell, Hon. H. G., *Northumberland, S.*
Coal Fields, Motion for an Address, 1914
Irish Church, Comm. *cl.* 59, 401; *cl.* 3, 423
O'Sullivan's Disability, 2R. 581
Witnesses (House of Commons), Motion for a Committee, 622

Life Peerages Bill
(*The Earl Russell*)
l. Moved, " That the House do now resolve itself into Committee" *June* 3, 1172; after short debate, Committee (No. 49)
Report *June* 8, 1370 (No. 113)
Moved, " That the said Report be now received" (*The Earl Russell*)
After debate, Amendt. to leave out (" now ") and insert (" this day three months ") (*The Earl of Malmesbury*); after further short debate, Amendt. withdrawn; original Motion agreed to; Report received

Life Peerages—Office of Lord High Chancellor of England
Motion for an Address, "praying that for the advantage of this House and for the honour of the legal profession Her Majesty will be graciously pleased to sanction the erection of the office of Lord High Chancellor of England into a barony which shall entitle the holder of that office to a writ of summons to Parliament by such title as Her Majesty shall in each case be pleased to summon him; and that such writ of summons as aforesaid shall make the person receiving the same, although he may not continue to hold the said office, a Peer of Parliament for life without remainder to the heirs of his body" (*The Lord Redesdale*) *May* 3, 10; after short debate, Motion withdrawn

Light Dues
Moved, "That it is the opinion of this House, that the practice of charging upon the shipping of this Country and the shipping of Foreign Nations the cost of maintaining the Lights, Buoys, and Beacons which light and protect the shores of the United Kingdom should cease, as being a practice unworthy of a great maritime nation whose ships are afforded the use of the Lights of other Countries free of all expense" (*Mr. Headlam*) *May* 4, 149; after debate, Motion withdrawn

Lighthouse Accounts
Question, Viscount Bury; Answer, Mr. Bright *June* 3, 1206

LINDSAY, Hon. Colonel C. H., *Abingdon*
Army of Reserve, Res. 1521

LINDSAY, Colonel R. J. Loyd, *Berkshire*
Army of Reserve, Res. 1558

Local Government Supplemental Bill
(*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*)
c. Referred to Select Committee *May* 11 [Bill 90]
Report* *June* 9 [Bill 155]

Local Officers Superannuation (Ireland) Bill (*Mr. Pim, Sir John Gray*)
c. Read 2° * *May* 4 [Bill 87]

LOCH, Mr. G., *Wick, &c.*
Game Laws (Scotland), Nomination of Committee, 628, 633, 1783, 1784

LOCKE, Mr. J., *Southwark*
Assessed Rates, 2R. 1327
Bankruptcy, Comm. *cl.* 6, 1215
Endowed Schools, Comm. *cl.* 9, 1744; *cl.* 19, Amendt. 1771
Municipal Corporations (Metropolis), 2R. 1954

Lodgers' Property Protection Bill [H.L.]
(*The Marquess Townshend*)
l. Moved, "That the Bill be now read 2ª" *May* 11, 562 (No. 65)
After short debate, Amendt. to leave out ("now") and insert ("this day three months"); Amendt. Motion and Bill withdrawn

LONGFORD, Earl of
Ireland—Under Secretary to the Lord Lieutenant, 1085, 1089

LOPES, Sir M., *Devonshire, S.*
Metropolitan Poor Act (1867) Amendment, 2R. 1361

LOWE, Right Hon. R. (see CHANCELLOR of the EXCHEQUER)

LOWTHER, Mr. J., *York City*
Endowed Schools, Comm. *cl.* 4, 1744; *cl.* 29, Amendt. 1772, 1777
Irish Church, Comm. *cl.* 37, 74; *cl.* 39, 280

LUSH, Dr. J. A., *Salisbury*
Juvenile Offenders in Reformatory Schools, 742
Pauperism and Vagrancy, Motion for a Committee, 509

LUSK, Mr. Alderman A., *Finsbury*
Abyssinian War, Motion for a Committee, 1438
Army Estimates—Militia, &c. 1575
Bankruptcy, Comm. *cl.* 6, 1215; *cl.* 13, 1220; *cl.* 46, 1415; *cl.* 54, 1597
Civil Service Pensions, Comm. *cl.* 4, 873
Customs and Inland Revenue, Comm. 838; *cl.* 4, 842, 843; *cl.* 18, 848
Diplomatic Salaries, &c. Comm. *cl.* 6, 1336, 1338; *cl.* 7, Amendt. 1339
Endowed Schools, Comm. *cl.* 15, 1767

LYTTELTON, Lord
Bishops of the South Western District, 8

LYVEDEN, Lord
Government of India Act Amendment, Report, 692
Life Peerages, Comm. *cl.* 1, 1200; Report, 1390

MCARTHUR, Mr. W., *Lambeth*
Irish Church, Comm. *cl.* 39, 287
Museums, &c., Opening of, on Sundays, 1275
Ways and Means—Customs and Excise Duties, Res. 2, 808

MCCLURE, Mr. T., *Belfast*
Irish Church, Comm. *add. cl.* 424

MACEVOY, Mr. E., *Meath Co.*
Ireland—Prelates of the Irish Church, 261

MACFIE, Mr. R. A., *Leith, &c.*
Patents for Inventions, Res. 888

MCLAREN, Mr. D., *Edinburgh*
Endowed Schools, Comm. *cl.* 19, 1769
Irish Church, Comm. *cl.* 39, 274, 276; *cl.* 59, 405
Permissive Prohibitory Liquor, 2R. 678
Real Property, Res. 598
Scotland—Endowed Schools, &c. Motion for a Commission, 1442
Sea Fisheries (Ireland), 2R. 1489

McMahon, Mr. P., *New Ross*
Bankruptcy, Comm. *cl.* 46, 1413
County Courts, 2R. 686
Irish Church, Comm. *cl.* 32, 36 ; *cl.* 52, Amendt. 350 ; Consid. 758 ; Amendt. 778

Magniac, Mr. C., *St. Ives*
Irish Church, Consid. *add. cl.* 779

Maguire, Mr. J. F., *Cork City*
Ireland—O'Sullivan, Mr., Case of, Motion for a Committee, 1170
O'Farrell Papers, The, 20
O'Sullivan's Disability, Leave, 202 ; 2R. 576, 583
Sale of Liquors on Sunday (Ireland), Comm. 1456
Sea Fisheries (Ireland), 2R. 1466, 1473, 1475

Malmesbury, Earl of
Life Peerages, Report, Amendt. 1381, 1389

Manners, Right Hon. Lord J. J. R., *Leicestershire, N.*
Courts of Justice (New Site), Leave, 559
Ireland—Protection of Life, 470
Irish Church, Comm. *cl.* 32, 51 ; *cl.* 39, 130 ; *cl.* 59, 403
O'Sullivan's Disability, Leave, 241

Marlborough, Duke of
Parochial Schools (Scotland), Comm. 443; *cl.* 1, 446 ; *cl.* 20, 453 ; *cl.* 68, Amendt. 462, 464

"*Marquess of Abercorn*"—*Loss of the*
Question, Sir John Hay ; Answer, Mr. Shaw-Lefevre *June* 15, 1897

Marriage with a Deceased Wife's Sister Bill (*Mr. Thomas Chambers, Mr. Morley*)
c. Order for Committee read *June* 8, 1448 [Bill 23]
Moved, "That it be an Instruction to the Committee that they have power to make provision for a woman to marry her deceased husband's brother" (*Mr. Collins*) ; after short debate, Moved, "That the Debate be now adjourned" (*Mr. Sclater-Booth*); A. 63, N. 113 ; M. 50
Question again proposed ; Moved, "That this House do now adjourn" (*Mr. Cross*) ; A. 63, N. 98 ; M. 35
Question again proposed ; Moved, "That the debate be now adjourned" (*Mr. R. Fowler*) ; Motion agreed to ; Debate adjourned

Married Women's Property Bill (*Mr. Russell Gurney, Mr. Headlam, Mr. Jacob Bright*)
c. Report * *May* 13 [Bill 122]

Matthews, Mr. H., *Dungarvan*
Parliament—Dublin City Writ, 1790
Sea Fisheries (Ireland), 2R. 1476

Merchant Shipping (Colonial), 1869, Bill [H.L.] (*The Earl Granville*)
l. Royal Assent *May* 13 [32 *Vict.* c. 11]

Metropolis
Cremorne Gardens—Special Licences, Question, Mr. J. G. Talbot ; Answer, Mr. Bruce *June* 14, 1743
Finsbury Park, Questions, Mr. W. M. Torrens, Viscount Enfield ; Answers, Mr. Layard, Mr. Tite *May* 13, 740
Museums, &c., Opening of, on Sundays, Observations, Mr. W. H. Gregory *June* 4, 1254 ; after debate, [House counted out] — *The Lord's Day Society and the Petition Forgeries*, Explanation, Mr. W. H. Gregory *June* 10, 1493 ; Explanation, Mr. T. Chambers *June* 16, 1916
St. James's Park — Bathing, Question, Mr. Stapleton ; Answer, Mr. Layard *May* 3, 12
Statues in Palace Yard, Question, Mr. Neville-Grenville ; Answer, Mr. Layard *June* 14, 1742
Victoria Park, Question, Mr. Cowper ; Answer, Mr. Layard *May* 13, 749

Metropolitan Board of Works — Main Drainage—Barking Creek Outfall
Question, Mr. Eastwick ; Answer, Mr. Bruce *May* 6, 260 ; Question, Colonel French ; Answer, Mr. Bruce *June* 8, 1402

Metropolitan Cattle Market
Question, Mr. Pell ; Answer, Mr. W. E. Forster *May* 3, 15

Metropolitan Commons Act (1866) Amendment Bill (*Mr. T. Chambers, Mr. Locke*)
c. Read 2°,* and referred to a Select Committee *May* 31 [Bill 77]
Select Committee nominated ; List of the Committee *June* 16, 1972

Metropolitan Commons Supplemental Bill (*The Earl of Morley*)
l. Read 2^a* *June* 7 (No. 35)
Committee * ; Report *June* 8
Read 3^a* *June* 11
Royal Assent *June* 24 [32 & 33 *Vict.* c. 63]

Metropolitan Poor Act (1867) Amendment Bill (*Mr. Goschen, Mr. A. Peel, Mr. Ayrton*)
c. Moved, "That the Bill be now read 2°" *May* 28, 946 ; after debate, Debate adjourned
Adjourned debate *June* 7, 1340
Amendt. to leave out from "That" and add "in the present condition of the Ratepayers of the Metropolis, and of the burthens laid upon them for the relief of the sick and infirm, it is not expedient to adopt any further measures of legislation until full inquiry shall have been made into the existing extent of hospital accommodation, and how far the same may be made adequate to meet the want of the sick poor not relieved in their own dwellings" (*Mr. W. M. Torrens*) ; Question proposed, "That the words, &c. ;" after debate, Question put ; A. 118, N. 15 ; M. 103 ; main Question put ; Bill read 2°

Metropolitan Street Tramways Bill (*by Order*)
c. Bill, as amended, further considered *May* 13, 735

Miall, Mr. E., *Bradford*
Endowed Schools, Comm. *cl.* 19, 1768

Militia Bill (*The Lord Northbrook*)
l. Report * *May* 3 (No. 83)
Moved, " That the Bill be now read 3ª" *May* 4, 86 ; after debate, Bill read 3ª
Royal Assent *May* 13 [32 *Vict.* c. 13]

Miller, Mr. J., *Edinburgh*
Irish Church, 3R. 1041
Scotland—Income Tax, 471
Sheriff Courts, 1633

Milton, Viscount, *Yorkshire, W. R.—S.*
Convention of Paris, Motion for Papers, 1446

Mines Regulation Bill (*Mr. Secretary Bruce, Mr. Knatchbull-Hugessen*)
c. Read 2° * *May* 6 [Bill 84]

Minto, Earl of
North British Railway — Accidental Deaths, Motion for a Paper, 569
Parochial Schools (Scotland), Comm. *cl.* 20, 457 ; Amendt. 460
Scotland—Police Systems, 703

Mitford, Mr. W. T., *Midhurst*
Contagious Diseases Act, Motion for a Committee, 808

Mold—Riot at
Question, Mr. Osborne Morgan ; Answer Mr. Bruce *June* 7, 1296

Monck, Viscount
Irish Church, 2R. 1894

Monk, Mr. C. J., *Gloucester*
Court of Probate (Registrar Clerks), 1495

Monsell, Right Hon. W. (Under Secretary of State for the Colonies), *Limerick Co.*
British Columbia—Motion for Papers, 1107, 1115
Canada—Dockyard Emigrants, 105
Hudson's Bay Company, 1497
Intercolonial Railway, 878
Colonial Returns, 470
Irish Church, 3R. 1023
Natal—Green, Rev. Mr., Case of, 467
O'Farrell Papers, The, 19
Queensland—Alleged Slavery in, 571

Montagu, Right Hon. Lord R., *Huntingdonshire*
Contagious Diseases (Animals), 1498

Montrose, Duke of
North British Railway — Accidental Deaths, Motion for a Paper, 569

Moore, Mr. G. H., *Mayo Co*
Ireland—" Lavelle *v.* Proudfoot," Case of, 884
Ireland—O'Sullivan, Mr., Case of, Motion for a Committee, 1160, 1166, 1171
Irish Church, Comm. *cl.* 39, 283
O'Sullivan's Disability, Leave, 195

Morgan, Mr. G. O., *Denbighshire*
Permissive Prohibitory Liquor, 2R. 650
Wales—Riots at Mold, 1296

Morley, Earl of
Aggravated Assaults Amendment, 2R. Amendt. 564
Beerhouses, &c. 2R. 1585
Industrial Schools (Great Britain), 2R. 354
North British Railway — Accidental Deaths, Motion for a Paper, 571
Reformatory Schools Amendment, 2R. 352
Scotland—Police Systems, 704

Morley, Mr. S., *Bristol*
Bankruptcy, Comm. *cl.* 6, 1216 ; *cl.* 7, 1218 ; *cl.* 13, Amendt. 1220 ; *cl.* 14, 1222 ; *cl.* 32, Amendt. 1402, 1403 ; *cl.* 46, 1406, 1415 ; *cl.* 47, Amendt. 1416 ; *cl.* 53, Amendt. 1592; *cl.* 54, 1597 ; *cl.* 59, 1602 ; *cl.* 88, 1606; *cl* 91, Amendt. 1607, 1608, 1898 ; *cl.* 118, 1900 ; *cl.* 126, *ib.*, 1903, 1905 ; *cl.* 129, 1907
Customs and Inland Revenue, Comm. 835

Morrison, Mr. W., *Plymouth*
Irish Church, Comm. *cl.* 32, 40 ; *cl.* 59, 409
Municipal Corporations (Metropolis), 2R. 1950
Post Office—Landing Mails at a Western Port, 927
Seeds Adulteration, 2R. 1928

Mowbray, Right Hon. J. R., *Oxford University*
Endowed Schools, Comm. *cl.* 9, 1746 ; *cl.* 15, 1766 ; *cl.* 29, 1773

Mundella, Mr. A. J., *Sheffield*
Abyssinian War, Motion for a Committee, 1430
County Courts, 2R. 685
Endowed Schools, Comm. *cl.* 29, 1774
Patents for Inventions, Res. 914
Pauperism and Vagrancy, Motion for a Committee, 510

Municipal Corporations (Metropolis) Bill (*Mr. Buxton, Mr. Thomas Hughes*)
c. Moved, " That the Bill be now read 2° " *June* 16, 1939
Amendt. to leave out " now," and add " upon this day three months " (*Mr. Bentinck*) ; after short debate, Question, " That 'now,' &c. ;" put, and agreed to ; main Question put, and negatived ; Bill withdrawn [Bill 39]

Municipal Franchise Bill (*Mr. Herbert, Mr. Hodgkinson, Mr. Candlish*)
c. Read 2° * *May* 4 [Bill 85]
Committee * ; Report *May* 10
Considered * *June* 7
Read 3° * *June* 9
l. Read 1ª * (*The Earl of Lichfield*) *June* 11 (No. 125)

Municipal Magistrates, Removal of
Question, Mr. Eastwick; Answer, Mr. Bruce *May* 11, 572; Question, Earl Grey; Answer, The Lord Chancellor; short debate thereon *June* 1, 1085

MUNTZ, Mr. P. H., *Birmingham*
Bankruptcy, Comm. *cl.* 14, 1223; *cl.* 46, 1414; *cl.* 49, 1417; *cl.* 54, 1597; *cl.* 88, 1606
County Courts, 2R. 686
Customs and Inland Revenue, Comm. *cl.* 24, 853; *cl.* 26, 854
Ways and Means—Customs and Excise Duties, Res. 2, 787

MURPHY, Mr. N. D., *Cork City*
Irish Church, Comm. *cl.* 33, 61
O'Sullivan's Disability, Leave, 202, 229; 2R. 582
Sale of Liquors on Sunday (Ireland), Comm. Amendt. 1451
Sea Fisheries (Ireland), 2R. 1489

Naval Stores Bill [H.L.]
(*The Earl of Camperdown*)
l. Royal Assent *May* 13 [32 *Vict.* c. 12]

NAVY
Admiralty Clerks, Amendt. on Committee of Supply *June* 11, To leave out from "That" and add "in the opinion of this House, the members of the Civil Service are entitled to a scale of pay in accordance with the terms of any Order in Council which has not been revoked or qualified by a succeeding Order of equal authority" (*Captain Grosvenor*), 1621; after short debate, Question put, "That the words, &c.;" A. 107, N. 64; M. 43
Coal for the Navy, Question, Mr. Sinclair Aytoun; Answer, Mr. Baxter *May* 28, 879
Dockyard Emigrants, Question, Sir Harry Verney; Answer, Mr. Monsell *May* 4, 105; Question, Mr. Alderman Salomons; Answer, Mr. Childers *June* 7, 1297
Greenwich Hospital Fund—Merchant Seamen, Question, Mr. Armitstead; Answer, Mr. Childers *May* 13, 745
"*Inconstant*," *The*, Question, Sir John Hay; Answer, Mr. Childers *May* 6, 262
Reserve Channel Squadron, Question, Mr. Gourley; Answer, Mr. Childers *June* 4, 1236

NEVILLE-GRENVILLE, Mr. R., *Somerset, Mid.*
Customs and Inland Revenue, Comm. *cl.* 22, 853; *cl.* 26, 854
Metropolis—Statues in Palace Yard, 1742
Ways and Means—Customs and Excise Duties, Res. 2, 807

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
Endowed Schools, Comm. *cl.* 9, 1748; *cl.* 41, 1782
Irish Church, Comm. *cl.* 37, 74; *cl.* 39, 113, 119, 121, 134, 137, 147, 283, 341; Consid. 763; 3R. 1069
O'Farrell Papers, The, 17
O'Sullivan's Disability, Leave, 201; 2R. 579
Witnesses (House of Commons), Motion for a Committee, 624

New Parishes and Church Building Acts Amendment Bill [H.L.]
(*The Lord Archbishop of York*)
l. Presented; read 1ª* *May* 13 (No. 106)
Moved, "That the Bill be now read 2ª" *June* 11, 1582; after short debate, Bill read 2ª

New Peers—see *Sat First*

Newspapers, &c. Bill
(*The Marquess of Lansdowne*)
l. Moved, "That the Bill be now read 2ª" *May* 31, 964; after short debate, Bill read 2ª

New Writs Issued
May 3—Bewdley Writ—Return amended—Hon. Augustus Henry Archibald Anson *v.* John Cunliffe Pickersgill Cunliffe, unduly returned
May 5—*For* Liskeard, *v.* Sir Arthur William Buller, deceased
May 31—*For* Stafford Borough, *v.* Henry Davis Pochin, esquire, and Colonel Walter Meller, void Elections
June 9—*For* Nottingham Town, *v.* Sir Robert Juckes Clifton, baronet, deceased

New Members Sworn
May 13 — Montague John Guest, esquire, *Youghal*
May 31 — Right Hon. Edward Horsman, *Liskeard*
June 10—Hon. Reginald Arthur James Talbot, and Thomas Salt the younger, esquire, *Stafford Borough*

NICOL, Mr. J. Dyce, *Kincardineshire*
Game Laws (Scotland), Nomination of a Committee, 635

NOEL, Hon. G. J., *Rutlandshire*
Parliament—Dublin City Writ, 1784

Norfolk Island Bishopric Bill [H.L.]

c. Read 1º* *May* 3 [Bill 104]
Read 2º* *May* 6
Committee*; Report *May* 31
Read 3º* *June* 1
Royal Assent *June* 24 [32 & 33 *Vict.* c. 16]

NORTH, Colonel J. S., *Oxfordshire*
Army Estimates—Militia, &c. 1574
Army—Fines for Drunkenness, 1295
Army of Reserve, Res. 1530
Canada—Reduction of Forces, 748
Contagious Diseases Act, Motion for a Committee, 809
Marriage with a Deceased Wife's Sister, Comm. Motion for Adjournment, 1450

NORTHBROOK, Lord (Under Secretary of State for War)
Militia, 3R. 94

NORTHCOTE, Right Hon. Sir S. H., *Devonshire, N.*
Abyssinian War, Motion for a Committee, 1424
British Columbia, Motion for Papers, 1112
Canada and the Hudson's Bay Company, 1497
Endowed Schools, Comm. *cl.* A. 12, 1762; *cl.* 41, 1781
Exeter, Trade of, 1741
India—Mysore, Maharajah of, 1495
Revenues of, 16
Irish Church, Comm. *cl.* 32, 24; *cl.* 39, 334, 337
O'Sullivan's Disability, Leave, 233
Ways and Means—Customs and Excise Duties, Res. 2, 798

NORTHUMBERLAND, Duke of
Militia, 3R. 99
Sea Birds Preservation, Comm. *cl.* 2, 79; *cl.* 4, 80; *add. cl.* 81

NORWOOD, Mr. C. M., *Kingston-upon-Hull*
Bankruptcy, Comm. *cl.* 4, 1212; *cl.* 6, Amendt. 1213; *cl.* 7, 1218; *cl.* 8, 1219; *cl.* 36, Amendt. 1403; *cl.* 46, 1414, 1416; *cl.* 54, 1595; *cl.* 59, Amendt. 1597, 1605; *cl.* 126, 1902
County Courts, 2R. 684, 687
Customs and Inland Revenue, Comm. 839
Judicature Commission, 1633
Light Dues, Res. 184
Seeds Adulteration, 2R. 1938

O'BRIEN, Sir P., *King's Co.*
Seeds Adulteration, 2R. 1928

O'CONOR DON, The, *Roscommon Co.*
Irish Church, Comm. *cl.* 39, 136, 142

O'DONOGHUE, The, *Tralee*
O'Sullivan's Disability, 2R. 576

O'NEILL, Hon. E., *Antrim Co.*
Irish Church, Consid. Amendt. 770

O'REILLY, Mr. M. W., *Longford Co.*
Ireland—Tralee Gaol, 1629
O'Sullivan's Disability, 2R. 583
Parliament—Dublin City Writ, 1786, 1791
Sale of Liquors on Sunday (Ireland), Comm. 1456

O'REILLY-DEASE, Mr. M., *Louth Co.*
Irish Church, Comm. *cl.* 36, 71; *add. cl.* 423

O'Sullivan's Disability Bill
Expenses of Counsel, &c., Moved, "That there be laid before this House Returns, stating the total amount of the expenses incurred by Her Majesty's Government for the payment of Counsel, and for the attendance of Witnesses and other persons on the occasion of the different stages of the Bill for disabling Mr. Daniel O'Sullivan from holding the office of Mayor of Cork, or any other office or dignity in Ireland:
And, stating from what particular source such expenses are to be defrayed" (*Sir Percy Burrell*) *May* 13, 809; Motion withdrawn
[*cont.*

O'Sullivan's Disability Bill—cont.
Mayor of Cork, The, Question postponed, Mr. Dawson *May* 3, 13; Questions, The Earl of Stradbroke, The Marquess of Salisbury; Answers, Earl Granville *May* 4, 76; Question, Mr. Dawson; Answer, The Attorney General for Ireland, 102
Meeting in Cork — Party Processions Act, Question, Colonel Forde; Answer, Mr. Chichester Fortescue *May* 11, 573

O'Sullivan's Disability Bill
(*Mr. Attorney General for Ireland, Mr. Chichester Fortescue*)
c. Orders of the Day postponed
Motion for Leave (*Mr. Attorney General for Ireland*) *May* 5, 186
After long debate, Bill to disable Daniel O'Sullivan, esquire, from holding, enjoying, or taking the Office of Mayor, or Justice of the Peace, or any office or place of magistracy in the City of Cork or elsewhere in Ireland; ordered; read 1º* [Bill 108]
Ordered, That a Copy of the said Bill, and of the said Order for the Second Reading thereof, be forthwith served upon Daniel O'Sullivan, esquire, Mayor of the City of Cork
Ordered, That Mr. Attorney General for Ireland do take care that evidence be produced in support of the said Bill, upon the Second Reading thereof
Ordered, That James Sheridan M'Leod and others [who are named] do attend this House on Tuesday the 11th day of this instant May, at Two of the clock, and give evidence on the Bill to disable Daniel O'Sullivan, esquire, from holding, enjoying, or taking the office of Mayor, or Justice of the Peace, or any office or place or magistracy in the city of Cork or elsewhere in Ireland, and produce all Documents relating to the same
Ordered, That Mr. Attorney General for Ireland do appoint Counsel to produce and manage the evidence, at the Bar of this House, upon Tuesday the 11th day of this instant May, in support of the allegations of O'Sullivan's Disability Bill (*Mr. Attorney General for Ireland*) *May* 6, 350
Orders for 2R. and for Counsel and Witnesses to attend, read *May* 11, 575
Moved, "That Counsel be now called in" (*Mr. Attorney General for Ireland*); after debate, Motion withdrawn
Order for attendance of Counsel and Witnesses discharged; 2R. deferred
Bill withdrawn * *June* 8

OTWAY, Mr. A. J. (Under Secretary of State for Foreign Affairs), *Chatham*
Abyssinian War, Motion for a Committee, 1436
Army—British Graves in the Crimea, 17, 747
Austria—Commercial Treaty with, 970
Cuba—Capture of an American Ship in British Colonial Waters, 106, 264
Diplomatic Pensions, 1589
Egypt—Viceroy of, 1205
Portugal—Claims on the Government, 1244
Spain—Imprisonment of a British Subject at Barcelona, 1742
"Tornado," Case of the, 743, 1499
United States—Speer, Captain, Murder of, 1498

OXFORD, Bishop of
Sea Birds Preservation, Comm. *cl.* 4, 80

Oxford University Statutes Bill
(*Mr. Gathorne Hardy, Mr. Mowbray*)
c. Ordered; read 1° * *May* 28 [Bill 136]
Read 2° * *June* 1
Committee *; Report *June* 3
Read 3° * *June* 3
l. Read 1ª * (*The Earl of Derby*) *June* 4
Read 2ª * *June* 8 (No. 114)
Committee *; Report *June* 11
Read 3ª * *June* 14
Royal Assent *June* 24 [32 & 33 *Vict.* c. 20]

Oyster and Mussel Fisheries Supplemental Bill
(*Mr. Lefevre, Mr. John Bright*)
c. Report * *June* 4 [Bill 76]
Committee * (*on re-comm.*); Report *June* 10
Read 3° * *June* 11
l. Read 1ª * (*The Lord Privy Seal*) *June* 14 (No. 129)

PAKINGTON, Right Hon. Sir J. S., *Droitwich*
Army of Reserve, Res. 1567
Irish Church, Comm. *cl.* 39, 127, 148; *cl.* 59, 399
Supply—Greenwich Hospital, 1577

PALMER, Sir R., *Richmond*
Bankruptcy, Comm. *cl.* 6, 1215, 1216; *cl.* 7, 1218; *cl.* 14, 1222, 1224; *cl.* 59, 1598, 1601; *cl.* 91, 1607; *cl.* 126, 1902; *cl.* 129, 1906, 1907; *cl.* 130, 1908
Courts of Justice (New Site), Leave, 549
Irish Church, Comm. *cl.* 3, 422; *add. cl.* 425, 426; Consid. *add. cl.* 758, 766, 768, 771
Patents for Inventions, 892

PALMER, Mr. J. Hinde, *Lincoln City*
Bankruptcy, Comm. *cl.* 7, 1218; *cl.* 54, 1596; *cl.* 59, 1604; *cl.* 88, 1606; *cl.* 91, 1899; *cl.* 126, 1903
Communication between Railway Passengers and Guards, 1243
Endowed Schools, Comm. *cl.* 19, 1770
Statute Law, Revision of the, Res. 1252

PARKER, Mr. C. S., *Perthshire*
Endowed Schools, Comm. *cl.* 29, Amendt. 1777

Park Gate Chapel Marriages, &c. Bill
(*The Lord Archbishop of York*)
l. Read 3ª * *May* 3 (No. 59)
c. Read 1° * *May* 6 [Bill 111]
Read 2° * *June* 8
Committee *; Report *June* 11

Parliament
LORDS—
Representative Peers for Scotland—Double Return, Petition of the Earl of Kellie, claiming also to be Earl of Mar; and of the Right Hon. John Francis Erskine Goodeve Erskine Earl of Mar, Baron Garioch: Committee for Privileges *May* 11, 561; after short debate, Report read, and agreed to (No. 99)
Whitsuntide Recess, House adjourned to Monday the 31st Instant *May* 13

COMMONS—
Palace of Westminster—Crypt of St. Stephens, Question, Mr. Locke King; Answer, Mr. Layard *May* 13, 744
Statues in Palace Yard, Question, Mr. Neville-Grenville; Answer, Mr. Layard *June* 14, 1742

Private Bills, Standing Order No. 179. sect. 1. suspended; and the time for depositing Petitions praying to be heard against Private Bills, which would otherwise expire during the adjournment of the House, extended to the first day on which the House shall sit after the recess at Whitsuntide *May* 13, 688

Business of the House
O'Sullivan's Disability Bill—Orders of the Day Postponed, Moved, "That the Orders of the Day be postponed till after the Notice of Motion for leave to bring in O'Sullivan's Disability Bill" (*Mr. Gladstone*) *May* 5, 185; after short debate, Motion agreed to
Whitsuntide Recess, Question, Colonel French; Answer, Mr. Gladstone *May* 3, 21; Question, Mr. J. G. Talbot; Answer, Mr. Gladstone *May* 4, 104; Question, Mr. Dent; Answer, Mr. Gladstone *May* 11, 585; House, at its rising, to adjourn until Thursday 27th May *May* 13, 809
Witnesses (*House of Commons*), Moved, That a Select Committee be appointed "to consider the best means of providing for the examination of Witnesses upon Oath by the House of Commons, and its Committees" (*Mr. Torrens*) *May* 11, 620; after short debate, Motion withdrawn
Select Committee *appointed*, "to inquire into the expediency of adopting any further measures for the examination of Witnesse- upon Oath by this House, and by its Committees" (*Mr. Torrens*); List of the Committee, 627

Parochial Schools (Scotland) Bill
(*The Duke of Argyll*)
l. Moved, "That the House do now resolve itself into Committee" *May* 10, 429; after debate, Committee (Nos. 11-96)
Report *June* 7, 1281; after debate, Amendments made (No. 119)
Read 3ª * *June* 11
c. Read 1° * *June* 16 [Bill 164]

Patent Office
Edmunds' Scandal, The, Question, Mr. Bentinck; Answer, Mr. Ayrton *May* 10, 469
Patents for Inventions, Amendt. on Committee of Supply *May* 28, To leave out from "That," and add "in the opinion of this House, the time has arrived when the interests of trade and commerce, and the progress of the arts and sciences in this Country, would be promoted by the abolition of Patents for Inventions" (*Mr. Macfie*), 888; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

Patten, Right Hon. Colonel J. W., *Lancashire, N.*
Army of Reserve, Res. 1552
County Financial Boards, Leave, 611
Ireland—O'Sullivan, Mr., Case of, Motion for a Committee, 1169
Ireland—Rates on Disturbed Districts, 20, 21
O'Sullivan's Disability, Leave, 217 ; 2R. 581
Sea Fisheries (Ireland), 2R. 1487

Pease, Mr. J. W., *Durham S.*
Coal Fields, Motion for an Address, 1910
Game Laws (Scotland), Nomination of Committee ; Motion for Adjournment, 632
Irish Church, Comm. *cl.* 39, 127
Metropolitan Street Tramways, Consid. *add. cl.* 735, 739

Peek, Mr. H. W., *Surrey, Mid.*
Bankruptcy, Comm. *cl.* 6, 1216 ; *cl.* 8, Amendt. 1219 ; *cl.* 14, Amendt. 1221 ; *cl.* 46, Amendt. 1414 ; *cl.* 53, Amendt. 1418 ; Amendt. 1592 ; *cl.* 126, 1904, 1905 ; *cl.* 127, 1906

Peel, Right Hon. Sir R., *Tamworth*
Navy—Admiralty Clerks, Res. 1625, 1626

Peel, Mr. A. W. (Secretary to the Poor Law Commissioners), *Warwick*
Endowed Schools, Comm. *cl.* 29, 1777
Pauperism and Vagrancy, Motion for a Committee, 491

Pell, Mr. A., *Leicestershire, S.*
Irish Church, Comm. *cl.* 59, 416
Metropolitan Cattle Market, 15
Pauperism and Vagrancy, Motion for a Committee, 518

Pemberton, Mr. E. L., *Kent, E.*
Metropolis—Courts of Justice, New, 14

Penzance, Lord
Irish Church, 2R. 1837
Life Peerages, Comm. 1185

Permissive Prohibitory Liquor Bill
(*Sir Wilfrid Lawson, Mr. Bazley, Mr. Dalway*)
c. Moved, "That the Bill be now read 2°" *May* 12, 637 [Bill 10]
Amendt. to leave out "now," and add "upon this day six months" (*Colonel Jervis*) ; after long debate, Question put, "That 'now' &c. ;" A. 87, N. 193 ; M. 106 ; words added; main Question, as amended, agreed to ; Bill put off for six months

Peterborough, Bishop of
Irish Church, 2R. 1853

Petroleum Bill
(*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*)
c. Ordered ; read 1° * *May* 13 [Bill 131]
Read 2° * *June* 10

Pharmacy Act (1868) Amendment Bill
(*Lord Robert Montagu, Sir Graham Montgomery*)
c. Considered * *May* 10 [Bill 37]
Read 3° * *May* 13 [Bill 99]
l. Read 1ª * *May* 31 (No. 108)

Pier and Harbour Orders Confirmation Bill (*Mr. Lefevre, Mr. John Bright*)
c. Considered in Committee ; Resolution reported ; Bill ordered ; read 1° * *May* 10 [Bill 114]
Read 2° * *May* 13
Order for Committee discharged ; committed to a Select Committee *June* 1
Report * *June* 10 [Bill 157]
Considered * *June* 14
Read 3° * *June* 14

Pier and Harbour Orders Confirmation (No. 2) Bill (*Mr. Lefevre, Mr. John Bright*)
c. Considered in Committee ; Resolution reported ; Bill ordered ; read 1° * *May* 28 [Bill 137]
Read 2° * *May* 31
Order for Committee discharged ; committed to a Select Committee *June* 3
Report * *June* 10 [Bill 158]
Re-comm. * ; Report *June* 11 [Bill 161]

Pilotage Dues on Foreign Shipping
Question, Mr. Candlish ; Answer, Mr. Bright *May* 10, 468

Pim, Mr. J., *Dublin City*
Customs and Inland Revenue, Comm. *cl.* 4, 843
Irish Church, Comm. *cl.* 43, 349 ; *cl.* 59, Amendt. 395, 404 ; Consid. *add. cl.* 755, 757

Pollard-Urquhart, Mr. W., *Westmeath Co.*
Customs and Inland Revenue, Comm. 837
Income Tax, 1238

Poor Law
Pauperism and Vagrancy (*England*), Moved, that a Select Committee be appointed, "to consider the existing state of Pauperism and Vagrancy in England, and the principles upon which the Poor Laws are at present administered" (*Mr. Corrance*) *May* 10, 471 ; after long debate, Motion withdrawn

Poor Law Board Provisional Orders Confirmation Bill (*Mr. Pell, Mr. Goschen*)
c. Ordered ; read 1° * *June* 16 [Bill 166]

Poor Law (Scotland) Act (1845) Amendment Bill (*The Lord Advocate, Mr. Secretary Bruce, Mr. Adam*)
c. Referred to Select Committee * *May* 6 [Bill 80]
Select Committee nominated *May* 31

Poor Law Union Loans Bill
(*Mr. Candlish, Mr. Hibbert, Mr. Dillwyn*)
c. Ordered ; read 1° * *May* 13 [Bill 128]
Read 2° * *June* 10

Poor Relief (Ireland) Act (1862) Amendment Bill (*Admiral Seymour, Mr. O'Neill*)
c. Ordered ; read 1° * *May* 11 [Bill 117]
Read 2° * *June* 1
Committee * ; Report *June* 8
Read 3° * *June* 9
l. Read 1ª * *June* 11 (No. 124)

Portman, Lord
New Parishes, &c. 2R. 1583
Stannaries, 2R. 1083

Portugal—Claims on the Government
Question, Mr. Dalglish ; Answer, Mr. Otway *June* 4, 1243

Post Office
Landing Mails at a Western Port, Observations, Mr. R. N. Fowler ; short debate thereon *May* 28, 924
Money Orders—Charges on, Question, Mr. Baines ; Answer, The Marquess of Hartington *May* 3, 14
Queensland—Alleged Slavery, Question, Sir John Simeon ; Answer, Mr. Monsell *May* 11, 574
Velocipedes and Post Office Service, Question, Mr. Hambro ; Answer, The Marquess of Hartington *May* 13, 745
Wales—Services in, Question, Mr. Walsh ; Answer, The Marquess of Hartington *June* 7, 1295
West India Mails, Question, Mr. Stevenson ; Answer, The Marquess of Hartington *May* 3, 15

Post Office—Mail Contracts
Moved, "That Contracts, made subject to the judgment of the House, should be submitted to the House at as early a period in the Session as possible, &c." (*Mr. Seely*) *June* 1, 1128 ; after long debate, Motion withdrawn
Moved, "That Contracts for the conveyance of Mails to the United States should not in future be made for longer than three years, and that the payments should be regulated by the number or weight of letters, newspapers, &c. conveyed" (*Mr. Seely*), 1157 ; after short debate, Motion withdrawn
Moved, "That, proposals having been made for a regular conveyance of Mails to the United States at the freight of a penny per ounce of letters conveyed, negotiations should be entered into with the United States Post Office, for the establishment of a penny postage, which shall include the inland rates in the two countries, as well as the sea conveyance" (*Mr. Seely*), 1157
After short debate, Amendt. to leave out from "That," and add "it is expedient that Her Majesty's Government should take into consideration, and should endeavour to learn by communication with the Government of the United States, whether it is practicable to establish a greatly reduced rate of Postage between the two Countries" (*Mr. Ayrton*), 1159 ; after further short debate, Question, "That the words, &c.," put, and negatived ; words added ; main Question, as amended, put, and agreed to

Post Office Savings Banks Bill
(*The Marquess of Hartington, Mr. Chancellor of the Exchequer, Mr. Stansfeld*)
c. Bill withdrawn * *May* 6 [Bill 69]

Prisons (Scotland) Administration Act (1860) Amendment Bill (*The Lord Advocate, Mr. Secretary Bruce, Mr. Solicitor General for Scotland*)
c. Ordered ; read 1° * *June* 3 [Bill 143]

Public Offices Concentration Bill
(*Mr. Layard, Mr. Chancellor of the Exchequer*)
c. Ordered ; read 1° * *June* 8 [Bill 153]

Public Parks (Ireland) Bill
(*Mr. M^cClure, Mr. William Johnston, Mr. Pim, Mr. Maguire*)
c. Ordered ; read 1° * *June* 3 [Bill 147]
Read 2° * *June* 8
Committee * ; Report *June* 11
Read 3° * *June* 14
l. Read 1ª * (*The Viscount Lifford*) *June* 15 (No. 131)

Raikes, Mr. H. C., *Chester*
Irish Church, Comm. *cl.* 32, Amendt. 44

Railways
Abergele Accident, Questions, Observations, Sir Henry Selwin-Ibbetson ; Answer, Mr. Dillwyn *May* 28, 936
North British Railway—Sudden or Accidental Deaths (Scotland), Motion for "Report of proceedings taken by the legal authorities of the district of St. Boswell's, N.B., with reference to the death of Mr. Lisle, who was killed on the North British Railway on the night of the 6th of November, 1868" (*Lord Kinnaird*) *May* 11, 566 ; after short debate, Motion agreed to (*Parl. P.* 118)
Preston Railway Station, Question, Mr. Hermon ; Answer, Mr. Bright *June* 10, 1494
Purchase of Telegraph Lines, Question, Mr. Hunt ; Answer, The Chancellor of the Exchequer *June* 7, 1299
Railway Guards and Passengers Communication, Question, Mr. Hinde Palmer; Answer, Mr. Bright *June* 4, 1243

Rathbone, Mr. W., *Liverpool*
Bankruptcy, Comm. *cl.* 6, 1216 ; *cl.* 46, Amendt. 1404, 1413; *cl.* 47, Amendt. 1417; *cl.* 91, 1607; Amendt. 1608, 1899 ; *cl.* 126, Amendt. 1900, 1901, 1903, 1904
Customs and Inland Revenue, Comm. *cl.* 4, 843
Permissive Prohibitory Liquor, 2R. 679

Read, Mr. C. S., *Norfolk, E.*
Agricultural Statistics, 938
Assessed Rates, 2R. 1328
County Financial Arrangements, 879
Customs and Inland Revenue, Comm. *cl.* 11, 845 ; *cl.* 18, Amendt. 846, 848, 852 ; *cl.* 36, 855
Seeds Adulteration, 2R. 1925
Ways and Means, Customs and Excise Duties, Res. 2, 792, 798

Real Property
Moved, "That, in the opinion of this House, the Law as to the Duty on the succession to Real Estate, and as to the exemption of Real Estate from Probate Duty, is anomalous and unequal, and demands the early and serious attention of the Government, with a view to its amendment" (*Mr. William Fowler*) *May* 11, 586; after short debate, Motion withdrawn

REBOW, Mr. J. G., *Colchester*
Ways and Means—Customs and Excise Duties, Res. 2, 797

Recorders' Deputies Bill
(*Mr. Denman, Mr. West*)
c. Ordered; read 1° * *May* 4 [Bill 107]
Read 2° * *May* 5
Committee *; Report *May* 10
Read 3° * *May* 11
l. Read 1ª * (*Lord Chelmsford*) *May* 13 (No. 105)
Read 2ª * *June* 8
Committee * *June* 11
Report * *June* 14
Read 3ª * *June* 15
Royal Assent *July* 12 [32 & 33 *Vict.* c. 23]

REDESDALE, Lord (Chairman of Committees)
Life Peerages, Motion for an Address, 10, 11; Comm. Preamble, 1192
Parochial Schools (Scotland), Report, 1286
Wiltes Peerage, Report, 428

REED, Mr. C., *Hackney*
Sunday and Ragged Schools, 2R. 1959

Reformatory Schools Amendment Bill [H.L.] (*The Marquess Townshend*)
l. Moved, "That the Bill be now read 2ª" *May* 7, 351; after short debate, Bill withdrawn (No. 63)

Religious, Educational, &c. Societies Incorporation Bill [H.L.]
(*The Lord Romilly*)
l. Moved, "That the Bill be now read 2ª" *May* 7, 355; after short debate, Bill read 2ª (No. 81)
Committee *; Report *June* 4 (No. 116)

Removal of Municipal Magistrates
Question, Mr. Eastwick; Answer, Mr. Bruce *May* 11, 572; Question, Earl Grey; Answer, The Lord Chancellor; short debate thereon *June* 1, 1085

Representation of the People Act (1867) Amendment Bill
(*Mr. Henry B. Sheridan, Mr. Gourley*)
c. Moved, "That the Bill be now read 2°" *June* 7, 1334; after short debate, Motion withdrawn; Bill withdrawn [Bill 43]

Representative Peers (Scotland and Ireland) Bill
(*Mr. Stapleton, Colonel French, Colonel Stepney*)
c. Bill withdrawn * *May* 27 [Bill 41]

RICHMOND, Duke of
Ireland—Irish Policy of the Government, 386
Irish Church, 2R. 1846
Parochial Schools (Scotland), Comm. 429, 432; *cl.* 1, 445; *cl.* 19, Amendt. 448; *cl.* 21, Amendt. 460, 466; Report, 1282, 1285
Sea Birds Preservation, Comm. *cl.* 2, Amendt. 78, 79; *cl.* 4, Amendt. 79; *add. cl.* 81

ROBERTSON, Mr. D., *Berwickshire*
Game Laws (Scotland), Nomination of Committee, 629

ROMILLY, Lord
Irish Church, 2R. 1701
Religious, Educational, &c. Societies Incorporation, 2R. 355, 356

RUSSELL, Earl
Ireland—State of, 707
Irish Church, 2R. 1666
Life Peerages, Comm. *cl.* 1, 1194, 1203, 1204; Report, 1373, 1387

RUTLAND, Duke of
Irish Church, 2R. 1687

Ryde—Borough of
Observations, Mr. W. W. Beach; Reply, Mr. Bruce; short debate thereon *June* 11, 1631

RYLANDS, Mr. P., *Warrington*
Bankruptcy, Comm. *cl.* 6, 1214; *cl.* 46, 1406; *cl.* 88, 1606; *cl.* 126, 1902
Sunday Trading, Comm. *cl.* 1, Motion for reporting Progress, 1490
Ways and Means—Customs and Excise Duties, Res. 2, 787, 801

ST. DAVID'S, Bishop of
Bishops of the South Western District, 8
Irish Church, 2R. 1820

ST. LAWRENCE, Viscount, *Galway Bo.*
Sea Fisheries (Ireland), 2R. 1466, 1475

Sale of Liquors on Sunday (Ireland) Bill
(*Mr. O'Reilly, Mr. Pim, Mr. Peel Dawson*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" (*Mr. O'Reilly*) *June* 9, 1451
Amendt. to leave out from "That" and add "until the present system of licensing in Ireland be remodelled and placed on a new basis, it is, in the opinion of this House, inexpedient to proceed further with the consideration of this Bill" (*Mr. Murphy*); Question proposed, "That the words, &c.;" after short debate, Amendt. and Motion withdrawn; Bill withdrawn [Bill 29]

Salisbury, Marquess of
  Beerhouses, &c. 2R. 1583
  Civil Service Pensions, Comm. 83
  Government of India Act Amendment, Report, Amendt. 690, 698, 702
  Ireland—Cork, Mayor of, 77
    Irish Policy of the Government, 357
  Life Peerages, Comm. Preamble, 1192 ; *cl.* 1, 1194, 1203 ; Report, 1377

Salmon Fisheries (Ireland) Bill
(*The Lord Dufferin*)
l. Royal Assent *May* 13 [32 *Vict.* c. 9]

Salmon Fisheries Law Amendment Bill
(*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*)
c. Ordered ; read 1° * *May* 13 [Bill 130]

Salomons, Mr. Alderman D., *Greenwich*
  Bankruptcy, Comm. *cl.* 46, 1414 ; *cl.* 118, 1900
  Customs and Inland Revenue, Comm. 836
  Navy—Dockyard Emigrants to Canada, 1297

Samuda, Mr. J. D'A., *Tower Hamlets*
  Bankruptcy, Comm. *cl.* 46, 1405
  Customs and Inland Revenue, Comm. 829
  Light Dues, Res. 158
  Metropolitan Poor Act (1867) Amendment, 2R. 1363
  Patents for Inventions, Res. 918
  Pauperism and Vagrancy, Motion for a Committee, 516

Samuelson, Mr. B., *Banbury*
  British Columbia, Motion for Papers, 1105

Sandon, Viscount, *Liverpool*
  Permissive Prohibitory Liquor, 2R. 659

Sat First
  May 3—The Lord Meldrum, after the death of his Father
  May 7—The Earl of Ilchester, after the death of his Uncle
  May 10—The Lord Bishop of Tuam
  May 11—The Lord Wynford, after the death of his Father
  May 13—The Earl of Hillsborough, after the death of his Father
  June 14—The Marquess of Anglesey, after the death of his Father
    The Earl of Radnor, after the death of his Father
    The Lord Leconfield, after the death of his Father
    The Lord Ross, after the death of his Brother
    The Viscount Combermere, after the death of his Father
    The Lord Fingall, after the death of his Father

Savings Banks Returns
  Question, Mr. Wells ; Answer, Mr. Ayrton *May* 4, 101

Sclater-Booth, Mr. G., *Hampshire, N.*
  Bankruptcy, Comm. *cl.* 130, 1909
  Civil Offices (Pensions), Comm. *cl.* 2, 870, 871
  Marriage with a Deceased Wife's Sister, Comm. 1450
  Metropolitan Street Tramways, Consid. *add. cl.* 738
  Parliament—Dublin City Writ, 1793
  Scotland—Sheriff Courts, 1634
  Ways and Means—Customs and Excise Duties, Res. 2, 790

Scotland
  Income Tax, Question, Sir James Elphinstone ; Answer, The Chancellor of the Exchequer *May* 7, 389 ; Question, Mr. Miller ; Answer, The Chancellor of the Exchequer *May* 10, 471
  Police Systems of Scotland, Observations, The Earl of Minto ; Reply, The Earl of Morley ; short debate thereon *May* 13, 700
  Sheriff Courts, Question, Mr. Miller ; Answer, The Lord Advocate ; short debate thereon *June* 11, 1634

Scourfield, Mr. J. H., *Pembrokeshire*
  Customs and Inland Revenue, Comm. 834 ; *cl.* 22, 853
  Endowed Schools, Comm. *cl.* 29, 1772
  Irish Church, Consid. 770, 777
  Permissive Prohibitory Liquor, 2R. 662
  Post Office—Landing Mails at a Western Port, 927
  Ways and Means, Customs and Excise Duties, Res. 2, 803

Sea Birds Preservation Bill
(*The Duke of Northumberland*)
l. Committee *May* 4, 78 (No 54)
  Report * *May* 10
  Read 3ª * *May* 11
  Royal Assent *June* 24 [32 & 33 *Vict.* c. 17]

Sea Fisheries Act (1868) Extension Bill
(*Mr. Andrew Johnston, Colonel Brise, Mr. Donald Dalrymple*)
c. Ordered ; read 1° * *June* 9 [Bill 156]

Sea Fisheries Act (1868) Supplemental Bill (*Mr. Shaw Lefevre, Mr. John Bright*)
c. Ordered ; read 1° * *June* 3 [Bill 146]
  Read 2° * *June* 10
  Committee * ; Report *June* 11
  Considered * *June* 14
  Read 3° * *June* 14
l. Read 1ª * *June* 15 (No. 132)

Sea Fisheries (Ireland) Bill
(*Mr. Blake, Viscount Burke, Colonel Annesley, Mr. Kavanagh*)
c. Moved, "That the Bill be now read 2°" *June* 9, 1457 ; after debate, Bill read 2° [Bill 51]

Seeds Adulteration Bill (*Mr. Welby, Mr. Brand, Sir Michael Hicks-Beach, Mr. Read*)
c. Moved, "That the Bill be now read 2°" *June* 16, 1916 ; after debate, Bill read 2° [Bill 49]

SEELY, Mr. C., *Lincoln*
Mail Contracts, Res. 1128, 1155, 1157

SELWIN-IBBETSON, Sir H. J., *Essex, W.*
Endowed Schools, Comm. *cl.* 31, Amendt. 1778, 1779; *cl.* 35, Amendt. 1779; *cl.* 41, 1782
Railways—Accident at Abergele, 936

SHAW, Mr. W., *Bandon*
Irish Church, Comm. *cl.* 32, 36; *cl.* 59, 415; Consid. 780

SHERIDAN, Mr. H. B., *Dudley*
Assessed Rates, 2R. 1334, 1336
Convention of Paris, Motion for Papers, 1445, 1448
Fire Insurance, 574
Representation of the People Act (1867) Amendment, 2R. 1334

Sheriffs (York County) Bill
(*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*)
c. Read 1° * *May* 3 [Bill 102]
Question, Mr. H. F. Beaumont; Answer, Mr. Knatchbull-Hugessen *June* 3, 1208
Moved, "That the Order for 2R. be read, and discharged" (*Mr. Knatchbull-Hugessen*); Order discharged; Bill withdrawn

SHERLOCK, Mr. D., *King's Co.*
Sale of Liquors on Sunday (Ireland), Comm. 1454

SIMEON, Sir J., *Isle of Wight*
Queensland—Alleged Slavery in, 574
Ryde, Borough of, 1632

SIMON, Mr. Serjeant J., *Dewsbury*
Assessed Rates, 2R. 1333
Bankruptcy, Comm. *cl.* 6, 1214; *cl.* 7, Amendt. 1217; *cl.* 47, Amendt. 1417; *cl.* 53, Amendt. 1418; *cl.* 54, 1593; *cl.* 59, 1600; *cl.* 91, 1899

SIMONDS, Mr. W. B., *Winchester*
Army—Volunteer Capitation Grant, 1298

SMITH, Mr. J. B., *Stockport*
Customs and Inland Revenue, Comm. 840

SMITH, Mr. W. H., *Westminster*
Customs and Inland Revenue, Comm. *cl.* 18, 849
Metropolitan Poor Act (1867) Amendment, 2R. 1364, 1365
Pauperism and Vagrancy, Motion for a Committee, 512

SOLICITOR GENERAL, The (Sir J. D. COLERIDGE), *Exeter*
Bankruptcy, Comm. *cl.* 32, 1402; *cl.* 46, 1415; *cl.* 54, 1593, 1595; *cl.* 59, 1601; *cl.* 91, 1898
Endowed Schools, Comm. *cl.* A. 12, 1764; *cl.* 15, 1766
Irish Church, Comm. *cl.* 39, 339
Navy—Admiralty Clerks, Res. 1626
O'Sullivan's Disability, Leave, 226, 233
Undue Influence and Bribery, 1497

SOMERSET, Duke of
Bishops of the South Western District, 4
Civil Service Pensions, Comm. 81, 85
Newspapers, &c. 2R. 968

South Kensington Museum—Deterioration of Pictures
Motion for Address for "Copy of the Report of the Committee appointed by the Science and Art Department to inquire into the alleged deterioration of the Pictures belonging to the National Gallery deposited at the South Kensington Museum" (*Mr. Dillwyn*) *June* 11, 1635; Motion withdrawn

SPAIN
Case of the "Tornado," Question, Mr. Bentinck, Answer, Mr. Otway *May* 13, 743; *June* 10, 1499
Imprisonment of a British Subject at Barcelona, Question, Sir Harcourt Johnstone; Answer, Mr. Otway *June* 14, 1741
Seizure of the "Mary Lowell" in British Colonial Waters, Question, Sir John Hay; Answer, Mr. Otway *May* 4, 105; Question, Mr. Gourley; Answer, Mr. Otway *May* 6, 264

SPEAKER, The (Right Hon. J. E. DENISON) *Nottinghamshire, N.*
Metropolitan Poor Act (1867) Amendment, 2R. 1365
O'Farrell Papers, The, 19
O'Sullivan's Disability, 2R. 581

Special and Common Juries Bill
(*Viscount Enfield, Mr. Headlam, Mr. Denman*)
c. Ordered * *June* 10

Special Bails Bill
(*Mr. Hadfield, Mr. Denman*)
c. Ordered; read 1° * *June* 11 [Bill 162]
Read 2° * *June* 16

STACPOOLE, Mr. W., *Ennis*
Army—Courts Martial, 1495
Militia Officers, 749
Rintoul, Captain, Case of, 389
Irish Church, Comm. *cl.* 59, 403

STANHOPE, Earl
Life Peerages, Motion for an Address, 10; Comm. *cl.* 1, Amendt. 1192, 1204; Report, 1390

STANLEY, Right Hon. Lord, *Lynn Regis*
Patents for Inventions, Res. 904

Stannaries Bill (*Mr. St. Aubyn, Mr. Pendarves Vivian, Mr. Brydges Willyams, Mr. Kekewich*)
c. Considered * *May* 6 [Bill 101]
Read 3° * *May* 10
l. Read 1ª * (*The Lord Portman*) *May* 11 (No. 98)
Moved, "That the Bill be now read 2ª" *June* 1, 1083; Bill read 2ª
Committee * *June* 8 (No. 123)
Report * *June* 11
Read 3ª * *June* 14
Royal Assent *June* 24 [32 & 33 *Vict.* c. 19]

STANSFELD, Mr. J. (Lord of the Treasury), *Halifax*
Customs and Inland Revenue, Comm. *cl.* 4, 842; *cl.* 5, 844; *cl.* 8, 845; *cl.* 18, 846, 848, 849; *cl.* 24, 853; *cl.* 26, 854; *cl.* 36, 855; *add. cl.* 858
Diplomatic Salaries, &c. Comm. *cl.* 6, 1336; *cl.* 7, 1339
Income Tax, 1238
Ways and Means—Customs and Excise Duties, Res. 2, 788, 796, 798, 799

STAPLETON, Mr. J., *Berwick-on-Tweed*
County Courts, 2R. 687
Ireland—Maynooth, Professors of, 748
Irish Church, Consid. Amendt. 777; 3R. 1015
Metropolis—St. James' Park, 12
Patents for Inventions, Res. 915
Ways and Means—Customs and Excise Duties, Res. 785

Statute Law Revision
Amendt. on Committee of Supply *June* 4, To leave out from "That" and add "the Royal Commissions (1833 and 1845), and other measures for the revision of the Statute Law, having occasioned an expenditure of £80,619 *5s.* 1*d.*, and the results being unsatisfactory, it is, in the opinion of this House, expedient to discontinue the present course of proceeding, and the expenditure consequent thereon" (*Mr. Hadfield*), 1244; after short debate, Question put, "That the words, &c.," A. 217, N. 64; M. 153

STEVENSON, Mr. J. C., *South Shields*
Light Dues, Res. 169
Post Office—West India Mails, 15

STONE, Mr. W. H., *Portsmouth*
Post Office—Landing Mails at a Western Port, 936

STOPFORD, Mr. S. G., *Northamptonshire, N*
Army—British Graves in the Crimea, 17, 747

STRADBROKE, Earl of
Ireland—Cork, Mayor of, 76

STRATFORD DE REDCLIFFE, Viscount
Irish Church, 2R. 1695
Life Peerages, Report, 1384
Turco-Persian Boundary, 1
United States—"Alabama" Claims, 1227

SULLIVAN, Right Hon. E. (Attorney General for Ireland), *Mallow*
Ireland—Cork, Mayor of, 102
Dublin, Lord Mayor of, 746
Irish Church, Comm. *cl.* 30, 22; *cl.* 32, 32; *cl.* 33, 53, 54, 59; *cl.* 39, 133, 134, 135; *cl.* 44, 349; *cl.* 52, Amendt. 350; *cl.* 61, 421; *add. cl.* 424, Consid. 756, 767, 768, 772, 777
O'Sullivan's Disability, Leave, 186, 243; 2R. 575, 582, 584
Witnesses (House of Commons), Motion for a Committee, 624

Sunday and Ragged Schools Bill
(*Mr. Charles Reed, Mr. Bazley, Mr. Graves, Mr. M'Arthur*)
c. Moved, "That the Bill be now read 2°" *June* 16, 1959
Amendt. to leave out "now," and add "upon this day three months" (*Mr. Percy Wyndham*); after short debate, Question put, "That 'now,' &c.;" A. 228, N. 71; M. 157; main Question put, and agreed to; Bill read 2° [Bill 67]

Sunday Trading Bill
(*Mr. Thomas Hughes, Lord Claud Hamilton*)
c. Committee—R.P. *June* 9, 1490 [Bill 5]

SUPPLY
Considered in Committee—ARMY ESTIMATES *June* 10, 1573; Resolutions reported *June* 11

SYKES, Colonel W. H., *Aberdeen City*
Abyssinian War, Motion for a Committee, 1434
Army—Mauritius—Troops at the, 1590
Army of Reserve, Res. 1566
Civil Offices (Pensions), Comm. 868; *cl.* 3, 871; *cl.* 4, 874
Colonial Returns, 470
Customs and Inland Revenue, Comm. *cl.* 36, 855
Endowed Schools, Comm. *cl.* 9, 1747

SYKES, Mr. C., *Yorkshire, E.R.*
British Columbia—Motion for Papers, 1105

SYNAN, Mr. E. J., *Limerick Co.*
Ireland—O'Sullivan, Mr., Case of, Motion for a Committee, 1164
Irish Church, Comm. *cl.* 32, 41; *cl.* 33, Amendt. 53, 55; *cl.* 59, 400
O'Sullivan's Disability, Leave, 239
Seeds Adulteration, 2R. 1926

TALBOT, Mr. J. G., *Kent, W.*
Irish Church, 3R. 1019
Metropolis—Cremorne Gardens, 1743
Parliament—Whitsuntide Holidays, 104

TAYLOR, Mr. P. A., *Leicester*
Salisbury Magistrates, 1608

Telegraph and Railway Companies—Purchase of Telegraphs
Question, Mr. Hunt; Answer The Chancellor of the Exchequer *June* 7, 1299

TITE, Mr. W., *Bath*
Courts of Justice (New Site), Leave, 560
Metropolis—Finsbury Park, 741

Titles of Religious Congregations Act Extension Bill (*Mr. Headlam, Mr. Pease*)
c. Ordered; read 1° * *May* 13 [Bill 127]
Read 2° * *June* 7
Committee *; Report *June* 11 [Bill 156]
Read 3° * *June* 14
l. Read 1ª * (*The Duke of Saint Albans*) *June* 15 (No. 130)

Titles to Land Consolidation (Scotland) Act (1868) Amendment Bill
(*The Lord Advocate, Mr. Secretary Bruce, Mr. Solicitor General for Scotland*)
c. Ordered; read 1º * *June* 3 [Bill 144]

Torrens, Mr. R. R., *Cambridge Bo.*
Assessed Rates, 2R. 1327

Torrens, Mr. W. M., *Finsbury*
Metropolis—Finsbury Park, 740
Metropolitan Poor Act (1867) Amendment, 2R. Motion for Adjournment, 963, 1340
Witnesses (House of Commons), Motion for a Committee, 620, 627

Townshend, Marquess of
Aggravated Assaults Amendment, 2R. 564, 565
Industrial Schools (Great Britain), 2R. 353
Lodgers' Property Protection, 2R. 562
Reformatory Schools Amendment, 2R. 351, 352

Tracy, Hon. C. R. D. Hanbury- *Montgomery, &c.*
Army—Military Labour, 1209

Trade Marks Registration Bill
(*Mr. Shaw-Lefevre, Mr. John Bright*)
c. Considered in Committee; Resolution reported; Bill ordered; read 1º * *May* 13 [Bill 126]

Turkey
Turco - Persian Boundary Line, Question, Viscount Stratford de Redcliffe; Answer, The Earl of Clarendon *May* 3, 1

Turnpike Trusts
Question, Mr. Whalley; Answer, Mr. Bruce *May* 3, 16

United States
"*Alabama*" *Claims, The,* Observations, Viscount Stratford de Redcliffe; Reply, The Earl of Clarendon *June* 4, 1227
Murder of Captain Speer, Question, Mr. Cubitt; Answer, Mr. Otway *June* 10, 1498

Vance, Mr. J., *Armagh City*
Customs and Inland Revenue, Comm. *cl.* 1, 841; *add. cl.* 857, 858
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